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July 16-17, 2018

Graduate School of
State Islamic Institute of Tulungagung
East Java, Indonesia

PROCEEDING

International Conference on Interdisciplinary Islamic Studies, Social, Science and Humanities

8



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Director of Graduate School of IAIN Tulungagung

The Graduate School of State Islamic Institute of Tulungagung has conducted an International Conference on Interdisciplinary Islamic Studies, social Science and Humanities, on July 16-17, 2018 at the 5th floor of the Postgraduate School Building in the State Islamic Institute of Tulungagung, East Java, Indonesia. The conference was in the form of Call for Papers in which all papers must be written and presented in English. All incoming papers must be published in international proceedings.

The international conference was held in the auditorium on the 5th floor of the Tulungagung IAIN Graduate School building and was attended by more than 350 participants consisting of lecturers, students and audiences of science studies. The International Conference program focusing on interesting actual themes was moderated by Dr. Erna Iftanti, M.Pd. The invited Keynote Speakers of the Conference were: 1) Prof. Sumanto Al Qurtubi, a Lecturer of Cultural Anthropology at King Fahd University of Petroleum and Minerals, Dhahran, Saudi Arabia with a paper entitled *Anthropology and Its Contribution to the Study of Islam: History and Contemporary Development*. 2) Prof. Dr. Norshah Saad, a lecture at Kolej University of Uggua Seri Begawan, Brunei Darussalam with a paper entitled *International and Culturally Diverse Learning Environment Elements in Teaching and Learning*. 3) Dr. Abdul Majid Hakimollahi, a Vice President of Relations and International Affairs at Al-Mustafa International University, Qum, Iran with a paper entitled *Faith and Rationality (Knowing God by Intuition)*. 4) Azmil Tayeb, Ph.D., a Senior Lecturer at Universiti Sains Malaysia with a paper entitled *Islamic Education and Public Discourse in Malaysia and Indonesia*, and 5). Prof. Dr. Akhyak, M.Ag, the Director of the Postgraduate School at the State Islamic Institute of Tulungagung, East Java, Indonesia with a paper entitled *Strengthening Movement on Character Education in Islamic Society*.

The themes was reinforced by a number of parallel discussions of 47 papers grouped in four studies, namely: 1. Education (2). Thought and Philosophy, (3). Islamic Laws, and (4). Islamic Economics. State Islamic Institute of Tulungagung (IAIN Tulungagung) as one of the Islamic religious colleges in Indonesia, has a high commitment to continue conducting studies on Interdisciplinary Islamic Studies, social Science and Humanities. The study is expected to be able to find comprehensive interdisciplinary approaches in order to play a role and contribute to the development of the academic world in Indonesia. It is expected to have sustainable to make Islam in Indonesian as a center for the global multidisciplinary Islamic studies. These studies which can be integrated with theological Islamic studies into transdisciplinary Islamic studies are also expected to produce lawyers, economists, physicists, engineers who have a basic insight of Islam. Islamic studies with this interdisciplinary approach can be as a solution to

address the challenges of the Islamic world today. This interdisciplinary Islamic study should prioritize an interdisciplinary, multidisciplinary or even transdisciplinary approach.

In response to the above-mentioned fact, the proceedings of the International Conference on Interdisciplinary Islamic Studies, social Science and Humanities "(ICIIS-SSH), is a manifestation of the responsibility of Graduate School of IAIN Tulungagung to encourage the scientific dynamics of actualizing philosophy in all segments of life.

The Director of Graduate School of IAIN Tulungagung expresses his gratitude to all those who have contributed to the process of publishing this international proceeding, especially to the foreign reviewers of the proceedings.

Tulungagung, November 19th 2019
Direktur Pascasarjana IAIN
Tulungagung,

Ttd

Prof. Dr. H. Akhyak, M. Ag

Acknowledgement

Rector of IAIN Tulungagung

All praise belongs to Allah SWT, the great universal universe. God who bestows the ocean of knowledge and depth of ratio so that His existence can be understood. The gift of knowledge is manifested in the history of people which creates a rational civilization, so that it represents His grandeur and greatness.

Prayers and greetings may always be bestowed upon His Majesty- the honorable Prophet- the selected person for his wisdom, so that all people in this world are able to be introduced to the source of truth and knowledge.

Following up on the International⁸ Conference on Interdisciplinary Islamic Studies, Social Science and Humanities, on July 16-17, 2018 at the 5th floor of the Graduate School Building in the State Islamic Institute of Tulungagung, East Java, Indonesia, it is necessary to publish a codified publication of the results of the discussion in an international proceeding. In the introduction section of this proceeding, I would like to remind you about the mission of *Da'wah* and Civilization which became both the vision and orientation of developing IAIN Tulungagung.

First, the term *Da'wah* and Civilization was deliberately chosen to mark the distinguishing factors of the IAIN Tulungagung campus with other campuses within both PTKIN and public campuses environment. Those two terms are interrelated, integral and inseparable. *Da'wah* is a spirit and an action which guides people to get wisdom and breadth of knowledge. Meanwhile, civilization is the embodiment of the vast ocean of knowledge. Without *da'wah* there can be no civilization, and conversely, that there has never been found a great civilization unless human culture is able to be recognized, developed and disseminated into the sources of knowledge. Building a campus that develops the vision of *Da'wah* and Civilization means to realize the campus as the center of developing knowledge and its distribution in order to build the splendor of human civilization. Both the development of science and the embodiment of civilization are either as manifestations of servitude to God or as recognition of the greatness of God. That is the reason why the campus of IAIN Tulungagung is expected to be different from the other campuses.

Second, the term *Da'wah* and civilization represents the orientation of scientific development at IAIN Tulungagung. Unlike the other institutes within PTKIN, IAIN Tulungagung develops the concept of knowledge integration which has different paradigm, uniqueness and excellence. Through *Da'wah* and Civilization, IAIN Tulungagung develops a more holistic concept of scientific integration without breaking into the framework of labeling science with religious doctrine. The development of the concept of scientific integration at IAIN Tulungagung is characterized by an attitude of cosmopolitanism towards science. This means that the concept of integration should be started with accepting and celebrating the entire epistemology of scientific knowledge. The development of knowledge should always be started with strengthening the epistemology and methodology bases. The concept of integration is operationalized in the realm⁸ of axiology, namely the ethical and moral dimensions of science. People need to be aware of their existence as the representatives of God carrying messages of wisdom for human history and civilization. To celebrate the methodology is tantamount to instill the commitment of all academicians at IAIN Tulungagung to take part in developing, exploring, and disseminating knowledge. Each individual working at IAIN Tulungagung should

also be aware of his existence to spread the wisdom and benefit for human culture and civilization. Through this concept of integration, it is expected that every academician at IAIN Tulungagung, carries out a scientific prophetic mission, which is to spearhead the development of science as a means of understanding both the universe and humans and remembering the ethical position as a disseminator of wisdom and benefit for the people.

Third, the concept of *Da'wah* and Civilization marks the commitment of IAIN Tulungagung as an institute which is rooted from the society and its history. Yet, like other institutes, IAIN Tulungagung also has its own historical roots. It was born and grew up in a typical sub-culture of the Mataraman community, which has a strong commitment to Islam and tightly holds Javanese identities. Compared to the other subcultures, the Mataraman subculture is unique in terms of the authenticity of the Buddhists and the traditions that develop in their communities.

In accordance to the cultural basis and ecosystem of the people who really appreciate Javanese tradition and culture, IAIN Tulungagung develops an official policy to be accommodative of the richness of the cultural treasures and traditions developed among the people. The richness of cultural treasures is one of the important assets for IAIN Tulungagung, because it can be a living laboratory for scientific development at IAIN Tulungagung. Through both academic and non-academic efforts, IAIN Tulungagung continues making the community's cultural ecosystem as an inseparable part for the development of the mission of *Da'wah* and civilization.

I, as the Rector of IAIN Tulungagung, expect that the publication of this International proceeding of the International Conference on Interdisciplinary Islamic Studies, social Science and Humanities (ICIIS-SSH), can be as an important effort done by IAIN Tulungagung to interpret the goal of *Da'wah* and Civilization on this Archipelago. Amen, ya Rabb al-Alamin.

Tulungagung, November 21th 2019
Rector of IAIN Tulungagung

TTd

Prof. Dr. Maftukhin, M.Ag

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Effective Classroom Management in Islamic Educational Institutions

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ABSTRACT–The purpose of this study is to provide an overview of managing the skills and creativity of Islamic educational institutions in managing teaching and learning activities that require effective control of classroom caravans as well as the quality of institutions and as an effort to improve the development of related management areas that include preventing teachers' fatigue and making students and teachers feel more secure and happy. So, this paper is intended to answer the question of how classroom management creates a set of expectations used in an organized classroom environment and includes routines, rules, and consequence. The data collected through documentation and observation was analyzed through content analysis and critical analysis which was then synchronized by cross-checking the results of observation. This research reveals that an effective classroom thinking developed through an integrative educational institution can enhance comfortable classroom ambience and create a successful class democratic process.

Keywords: Classroom management, effective classroom, Creative

I. INTRODUCTION

Current scientific difficulties, surfaced in scientific integration projects known as integration of science, or interconnection create complex problems with many integrative educational ideas. The aim of teaching and learning is to bring change and understanding to the learner. The process requires effective management and control of the environment and the learning process.

In this case, classroom management and control becomes a very important skill in an effective learning process which can be obtained by the teacher through training and professional experience. Various problem phenomena then In education, especially character education which has become the decision of the agreement of making education of Indonesia must display the human figure in model or model that must be imitated in accordance with the output of effective classroom management itself.[1]

Classroom management is important to all of education process because it offers students a simple learning environment, helps prevent teacher burnout and makes students and teachers feel safer and happier, it involves more than just discipline and rules. It also entails organization, routines with which students come to feel

comfortable. Ministry of Education, discipline always comes to mind at the mention of classroom management, but the crucial component of teaching is much more. Classroom management creates a set of expectations used in an organized classroom environment. It includes routines, rules and consequences. Effective classroom management paves the way for the teacher to engage the students in learning.

Therefore it is recommended that a careful review of delivery methods should be undertaken before starting of every intake taking into consideration of diverse background of students. Comparisons should be made between the effectiveness of e-learning and traditional learning methods via students' assessment after each session of lecture. A thorough scrutiny on the students' satisfaction should be undertaken. It is also recommended that the institution of learning in the world of learning technology.[2]

The findings by studying the previous literature on effective teacher models during the lesson of what happened during classroom activities clarify the meaning of effective classroom management. The implications of this study indicate the need to include six new classroom management behaviors of an effective teacher. Further research is needed to help policy makers and school administrators in determining significance for training and future goals.[3]

II. METHOD

Researchers collect data through the method of documentation-observative. Then after the data collected, they were analyzed through content analysis and critical analysis and synchronized with cross-check the results of observation.

RESULT

a. *What is Effective Classroom Management* The classroom management which used by teachers can improve the classroom atmosphere and students' achievement be better because classroom management is considered an important part of the teaching and learning process.[4] In other word, classroom management is the process of creating a democratic community and managing successful class.[5]

Effective Teaching
Efficient Use of Time
Consistency
Fewer Behavior Problems

3 The main goal for classroom management is to reduce misbehavior in the classroom. Effective classroom management gives the students little time to misbehave. Because the expectations are clearly explained, the students know what they need to do. Transitions in particular are difficult to control when a teacher has strong management skills. The expectations for behaviors that are part of a classroom management plan give students boundaries as well as consequences.

Successful teaching often depends on the ability of the teacher to manage the classroom. Frequent occurrence of disciplinary problems in the classroom can have a considerable effect on the effectiveness of teaching and learning. Teachers responsible for managing and monitoring student learning and therefore losing control of the classroom can be one of the most frustrating experiences for them. This chapter focuses on a detailed description of classroom management; the backbone of an effective learning environment.

Classroom management is very an essential part of the teaching and learning process. It refers to the methods, strategies and skills teachers use to maintain a classroom environment that results in a student's learning success. Classroom management is connected to a process of organizing and conducting a class that includes time management, students' involvement,

student engagement, and classroom communication. Classroom management is also defined as the process of creating a democratic community and managing a successful class.

Evertson and Weinstein[6] give definition of classroom management to the actions teachers take to create a supportive environment for the academic and social emotional learning of students. They describe there are five types of actions. In order to attain a high quality of classroom management, teachers must (1) develop caring, supportive relationships with and among students and (2) organize and implement instruction in ways that optimize students' access to learning. The importance of developing favorable teacher-student relationships is also expressed by Marzano et al.[7] Additionally, Evertson and Weinstein state that teachers should (3) encourage students' engagement in academic tasks, which can be done by using group management methods. Teachers must (4) promote the development of students' social skills and self-regulation. Marzano et al. refer to this as making students responsible for their behavior. Finally, Evertson and Weinstein state that teachers should be able to (5) use appropriate interventions to assist students with behavior problems. The last two actions proposed

by Evertson and Weinstein indicate that effective classroom management improves student behavior. Hence, classroom management is an ongoing interaction between teachers and their students. Brophy presents a similar definition: [8] —Classroom management refers to actions taken to create and maintain learning environment conducive to successful instruction (arranging the physical environment, establishing rules and procedures, maintaining students' attention to lessons and engagement in activities) Both definitions accentuate the importance of actions taken by the teacher to facilitate learning among the students.

From all of views about classroom management above, it can be concluded that classroom management is the teacher's activities in the classroom to create and maintain the students activities in the class so the teaching efficiently and the purpose of the study can be achieved. Effective classroom management is important to minimalist students misbehavior, to get viewer discussion in classroom improve students' motivation.

A. The Main Areas of Classroom Management

The teacher must create an interesting learning so that students and teachers can enjoy the learning process comfortably.[9] In this case, a teacher is required to determine areas in effective classroom management.[10] Here, will be explained the main areas of classroom management.

Grouping and seating

Arranging the layout of the study room can provide new nuances, make learning more interesting, reduce stress in the classroom and facilitate learning. The teacher should consider the seating position, grouping and classroom atmosphere as it is very difficult for students to sit for long periods. It's important to give some movement on a specified time scale, like every five minutes so that students and teachers do not feel bored even drowsy. The seating position is very influential in learning. In general, the students' seating position is lined up against teachers. This position limits the interaction between teachers and students and is very tedious.

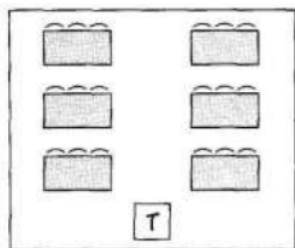
There are a number of approaches to seating arrangements in the classroom. Harmer suggested the following types of seating:[11]

Orderly rows: when the students sit in rows in the classroom, there are obvious advantages. Orderly rows imply teachers working with the whole class. Some activities are especially suited to this kind of organization: explaining a grammar point, watching a video, using a board etc.

Circles and horseshoe: In a horseshoe, the teacher will probably be at the open

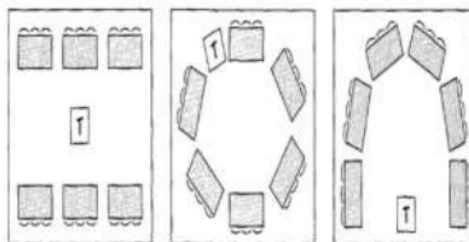
end of arrangement since that may well be where the board, overhead projector or tape recorder is situated. In a circle, the teacher's position—where the board is situated—is less dominating.

Separate tables: When students sit in small groups at individual tables, the atmosphere in the class is much less hierarchical than in the other arrangements. However, this arrangement is not without its own problems. Primarily, students may not always want to be with the same colleagues, indeed their preferences may change over time. Secondly, it makes —whole-class teaching more difficult, since the students are more diffuse and separated (pp. 19-20).



3 Figure 1. Traditional row-based seating plan.

There are some seating plan which can apply in effective classroom management:



3 Figure 3. Alternative seating plans.

Changing classroom settings provides many advantages and helps students work with different people..

3 b. Giving instructions and monitoring

Giving the right instructions is very influential in the success of classroom management. Students should be able to understand what, how and why a teacher in giving instructions. To make effective instruction is very important in getting students' attention, such as giving applause, raising their voices, greeting, and so on. In

giving instruction, teachers should use short sentences, not long-winded and use demonstration instructions. On the other hand, before the Monitor On the other hand, before beginning learning, a teacher should be able to ensure students' readiness

3 (monitoring).

Lemlech suggested three monitoring functions that affect classroom management:[12]

Checking students' understanding of assignment instructions and of work-in-progress.

Verifying short- and long-term accomplishments

Checking upon student

behavior. c. Timing

Another important classroom-management tool and a crucial skill for teachers is effective time management. According to Scott and Ytreberg in Scrivener, teachers need to remember to keep activities around 5 and 10 minutes long for ages 5–7, and 10 to 15 minutes long for ages 8–10.

Authority and setting rules

A teacher must have authority in learning. Such authority will be obtained through respect. A teacher will be respected by his/her students when they are on time, ready for lessons, they will do what they say, treat students consistently and fairly, do not try to let personal feelings about each student affect how they treat them as members group, do not ignore the problem, never pretend they are unable or ready to do and never lose patience. Teacher authority can be applied through rules that are easily understood and managed by the teacher. The rules should also be based on moral, personal, legal, safety and education considerations.

Holding and improving students' attention

As explained above, teachers should not start learning or assignment before getting student attention. How to get the attention of students can be done with several steps, including gain attention of all students, motivate interest, teach (model, demonstrate) concept, in order to maintain students' attention, teacher ought to structure the lesson into short sessions, provide follow by task assignment, monitor on-task behavior and evaluate and provide feedback. The most important aspect of maintaining students' attention is motivating the students.

Voice and gestures

Two kinds of messages are transmitted to students when the teacher is speaking. Whilst the voice transfers as verbal

messages, gestures represent specific body movements. When teaching, a teacher should be able to ensure that all students can hear his voice. Therefore, a teacher should be able to maintain the voice of his voice, tone and speech speed. To sum up, both voice and gestures are beneficial tools of communication between teachers and students. They should not be separated and their role in assisting teachers in classroom management should not be underestimated. Praise and motivation

Many teachers often use praise as a form of positive reinforcement for appropriate behavior and as a motivational tool. When getting praise and motivation, students will be more concentrated and eager to learn even if only praise for the little things they did. Genuine, spontaneous and specific praise encourages positive self-esteem and acceptance of both self and among other students in the classroom.[13]

3 B. Effective Classroom Management Strategies

Classroom management strategies are tools that the teachers can use to assist create such an environment, ranging from activities to improve teacher-student relationships to rules to regulate student behavior.[14] Only when the efforts of management fail should teachers have to resort to reactive, controlling strategies. Therefore, it is important to distinguish between preventive and reactive classroom management strategies. That is, there is a difference between strategies used to prevent behavior problems and strategies used to respond to problem behavior.[15] For example, the establishment of rules and procedures and favorable teacher-student relationships are considered preventive strategies, whereas disciplinary interventions such as giving warnings or punishments are considered reactive strategies. Although it is generally assumed that preventive strategies are more effective than reactive strategies, reactive strategies are sometimes needed to reduce disruptive or other undesired student behavior

when preventive strategies do not work.[16]

A separate group of CMS are group contingencies, which represent various reinforcement strategies aimed at improving student behavior or performance. These include preventive and reactive strategies.[17] These group contingencies can be classified into three types independent, interdependent, and dependent group contingencies. Independent group contingencies refer to reinforcement interventions that apply the same assessment criteria and reinforcements to

each child (e.g., all children should pass the same timing test before they get a diploma). Dependent group contingencies, on the other hand, refer to interventions that require a single student (or a few students) to reach a designated criterion in order for the whole group to receive reinforcement(e.g., when a student attains a 100 percent score on a test, the teacher will hand out sweets to the entire class). Interdependent group contingencies require the whole student group to reach a designated criterion in order to receive reinforcement (e.g., group members need to collaborate on a team project and the entire team receives a grade for their end product).

After we know the classroom management strategies and then how to manage the class and how to manage the problems? No teacher wants to have poor discipline in their classrooms. Therefore, having good classroom discipline involves a number of steps teachers should follow when behavior problems occur.

According to Harmer, standards of behavior and penalties for bad behavior have to be explained to students from the first day at school. In many cases it is crucial to recognize the warning signs of disruption and to act immediately since —unchecked behavior may grow to be a larger problem. Moreover, when the behavior problem occurs it is important to —find out what the problem is.[18]

In the following subchapters some typical problem situations that teachers have to deal with during their teaching will be discussed in detail:

Lack of motivation

Motivation is supposedly the backbone of any classroom. Therefore, when students are motivated, teachers have the opportunity to perform their job well. Nevertheless, behavioral problems are often connected to a lack of motivation and it sometimes takes a lot of energy for teachers to motivate their students.

Harmer claims that —nothing motivates like success!. Battaglia adds that teachers should let their students know that they believe in their success. Moreover, they should encourage their students' curiosity and attention. Therefore, it is vital to prepare inviting and challenging lessons so that —the students are interested in finding out what comes next!. Battaglia suggests spending some time getting to know each student to gain insight into their strengths and interests since the extent of motivation may differ for each student.[19]

3 2). Lack of respect and rudeness

A good relationship between teacher and student is very important for the success learning process in the class. Many teachers will probably agree that classrooms today are

very different places to what they were twenty years ago, and students, even young learners, seem to no longer respect their teachers as in the past.

Lack of respect and rudeness often go hand in hand. If rudeness appears in the classroom, Lemlech suggests dealing —with the student causing the problem without expressing personal anger!. When teachers react out of anger and lose their temper, they only gain disrespect.[20] Linsin (2009) suggests a few steps when dealing with a confrontational student:

Do not take disrespect personally. Stay calm. Do not raise your voice. Do not lose your temper. Pause. Maintain eye contact with the student and wait. End the misbehavior as quickly as possible before the situation escalates. Move on. Just continue on with what you were doing.

Teachers should be aware of disrespect and rudeness since they might be one of the roots of bullying.[21]

3 Attention seeking student

There are a variety of causes why most of students interrupt teachers' instructions or class discussions. These causes —include the student's need to seek attention and appreciation!. Other causes come from a variety of sources, including extreme competitiveness, nervousness, insecurity, or impulsiveness. Some children feel that misbehaving is the best way to get the teacher's attention. They do all sorts of things to attract attention; they are loud, ask unnecessary questions, respond negatively to the teacher's authority, bully other children so the teacher is forced to give them additional time and attention (Atkins, 2012).

Wright points out that teachers should deliver positive attention if the student is not busy seeking attention and suggests the following ideas of positive attention:

Pat the student on the shoulder

Make eye contact and smile at the student

Check in with the student about how he or she is progressing with an assignment

Call on the student in class (when you are reasonably sure that he or she knows the answer!)

Pass the student a note with a cheerful comment, specific praise, or compliment

Give brief, specific praise about the student's work or behavior (e.g., "I really like to see how carefully you are drawing that map, Joanna!")

Give the student a few words of encouragement

Invite the student to summarize for the group the main points of a classroom discussion

Converse briefly with the student

Select the student to carry out a classroom task (e.g., passing out papers) that he or she likes (2012).

To sum up, a variety of techniques is needed to be successful in the classroom management and teachers have to check constantly that what they are doing is really working. Moreover, it is essential for teachers to understand the learners' characteristics, interests and needs in order to develop and maintain discipline in the class.

Creating Effective Classroom Management

As the teacher, we should know how to create effective classroom management. To create effective classroom management, the teachers must do the steps below.[22]

Have rules. It is important to have basic set of rules for student to follow. These regulations will help maintain classroom management and discipline.

Have expectation. If your students know what you want from them, they are more likely to exhibit the type of behavior you want.

Make students aware of the rules. Make sure that the students are aware of the rules and the consequences.

Be firm and consistent. When you make your rules to manage your classroom, make sure that they are realistic and void any inconsistencies.

Be professional. An effectively managed classroom is conducted with professionalism and adequate structure.

Keep the class interested.

Practice fairness. As a teacher you need to be fair and make sure that you.

Practice humor. Creating a positive environment where there is laughter and happiness is the key into keep students interested and engage in their work.

Do not threaten. Threatening student can weaken a teacher's credibility in a classroom.

Lead by example. If you are regularly late, then you are setting a bad example for your students.

Give students opportunities. By student's opportunities to act in the class, shows them — you have confidence in their abilities, they will feel like the overall management and flow of the classroom is up to them to uphold as well.[23]

IV. CONCLUSION

Effective classroom management is the teacher's activities in the classroom to create and maintain the students activities in the class so the teaching efficiently and the purpose of the study can be achieved. Effective classroom management has main areas, there are grouping and seating, giving instruction and monitoring, timing, authority and setting rules, holding and improving students' attention, voice and gestures and the last is praise and motivation. Classroom management is the teacher's activities in the classroom to create and maintain the students activities in the class so the teaching efficiently and the purpose of the study can be achieved. After understand the main areas and strategies of classroom management, there are how to create effective classroom management based on have rule, have expectation, make students aware of the rules, be firm and consistent, be professional, keep the class interested, practice fairness, practice humor, do not threaten, led by example and also give students opportunities.

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Head of School's Transformational Leadership to Develop student's Character (Case study in Islamic Elementary School Blitar)

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Abstract -- The figure of a leader is very crucial in determining the good of an organization. The success of the organization is largely determined by the quality of leadership, because of the quality, it can increase performance, knowledge, competence, motivation, and at the time it will resulting in job satisfaction. Transformational leader is able to inspire his follower to change their hope, perception, and motivate his subordinates to work towards a common goal. The initial idea of transformative leadership model was developed by James MacGregor Burns that has applied in a political context. Burn said that transformational leader can increase need and motivation of subordinates and promotes dramatically changing in individual, group, dan organization. Further into the organizational context of leadership theory developed by Bernads Bass. In his theory, transformational leadership can be defined according to the impact of subordinates, so transformational leader are able to give extend belief, respect and amazed from the subordinates. The result of this research indicate that head of school's transformational leadership of Islamic Elementary School Blitar has four characters, those are: a) Religious character, b) social character, c) independence character and d) discipline character.

Keywords: *Leadership, Transformational, Students Character.*

I. INTRODUCTION

Leadership is one of interesting and urgent discussion theme in the sustainability of an institution, because it was one of factor that play role in determine the good of organization. It was proved from some research that the most important of organization development is the character of leader. The success of the organization is determined by the quality of leadership, because an organization with a qualified leadership will be able to improve performance, knowledge,

competence, motivation, and in turn generate job satisfaction.

Actually, many things that related in order to support the success of an institution, one of them concern with the style that displayed by the figure of leader or the pattern of behavior that he showed. The concept of transformational leadership is the last approach warmly discussed over the last two decades. The initial idea of a transformative leadership model developed by James MacGregor Burns that applied it in political context and subsequently into the organizational context by Bernads Bass.[1] According to Burns, transformational leadership can be seen when leaders and followers create one another to improve morale and motivation through the power of their vision and personality. Transformational leaders are able to inspire followers to change expectations, perceptions, and motivations to work toward the goals.

Then, Bernard M. Bass applied the idea of Burn to develop transformational leadership theory by Bass. In his theory, transformational leadership can be defined based on the impact that followers have on, transformational leaders in order to garner the trust, respect and admiration of their followers. Transformational leadership, which is an extension of charismatic leadership, the leaders create visions and environments that motivate employees to excel beyond expectations. In this case, the employees feel trust, admiration, loyalty and respect for leadership, so they are motivated to do more than what is their expectation.

A leader is said to be transformational when it can change the situation, change what is commonly done, talk about a lofty goal, have a reference to the value of freedom, justice and equality. The transformational leader will make the subordinate see that the goals to be achieved more

than just his personal interests, the high commitment, motivation and trust of subordinates so that the organization's goal is to achieve more than just his personal interests.

Blitar has Islamic basic education institutions that have high competitiveness of Blitar Islamic Primary School. Islamic Elementary School Blitar is a private educational institution under the Maarif NU Blitar. Islamic Elementary School Blitar shelter under the umbrella of the national education ministry with the number of students 671 in 2018.[2] Islamic Elementary School Blitar was established on August 1st, 2000. It was parent's partner in educating Islamic children to be a good generation in academic and excels in social and religious.[3]

Blitar Islamic Primary School is led by a school principal named Mr. Arif Murtadlo, where he is academically qualified undergraduate degree (S2). Under his leadership Blitar Islamic Elementary School continues to experience growth and development is very good with the proof of this school remains biased exist with various academic achievements, and non academic. Blitar's principal of Islamic elementary school is able to run and play the role of leadership, so it can influence, encourage and mobilize all the components under his leadership, to advance and develop all the potential in each in order to achieve the goals agreed by the institution. In addition, the head of Blitar Islamic Primary School is an innovative, dedicated, disciplined, responsible and democratic principal in carrying out his leadership, so that subordinates do not feel awkward and burdened in performing their duties.[4]

This institution is able to compete in the public interest to register their children in this institution which every year at the time of New Student Admission (PPDB) registrants always booming so that it can be bome whole, but not far from Blitar City Islamic School is the Primary School of Kepanjen lor 1 (approximately 110 M to the north) where the number of students is only 231 students and the rest again with a distance of about 150 M there is Elementary School Christian Eagle National Academy with the number of students 94. Then the east of approximately 300 M there are Kepanjen lor 2 State Elementary School which the number of students as many as 451 students.

In terms of quality Blitar Islamic Primary School is also able to present a fairly good quality when viewed in terms of customer satisfaction (guardian pupil). Interview conducted by the

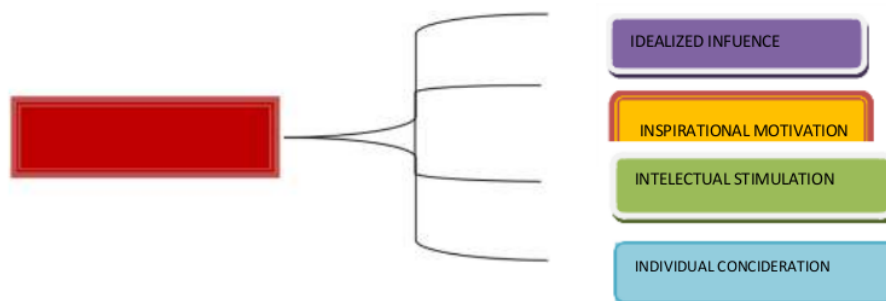
researcher with one of the 5th grade students of Blitar Islamic School Blitar named Rini Astutik said "he is very satisfied with the results of education that has been given to his children, especially in the field of moral education and religion, his son so independent, diligent worship, and added beneh though of course there is still a need to improve and improve it is reasonable".[5]

This institute is designed to prioritize discipline, prioritize freedom in developing intellectual, encourage the growth of children's creativity optimally, and train children in social interaction and practical worship practices. In the delivery of the subject matter is also always associated with the impact of companion (real world) so that children have steadiness and confidence in developing science. In addition the students are also given additional lessons to explore 3 M namely: Reading, Writing, and Counting as a provision of basic skills of students.[6]

Actualization of Blitar SDI orientation is embodied in the vision formulation of "Being a quality school in academic, social and religious achievement based on Islamic, national and intellectual".[7] Based on preliminary survey results obtained information that Blitar Islamic Primary School is an accredited full day school school A. Students enter at 07.00 and return home at 15.30 after finish pray ashlar. This school has a multi-dimensional school slogan, in the sense that this school not only teaches general lessons but also instills moral education and religion to their students. Blitar City Islamic School uses the Curriculum 2013 Kemendiknas starting in 2013/2014 and added with a typical curriculum institution (local content).

The supporting activities of Blitar City Islamic School include: Practical Worship Program, Socialization and Islamic way of life and Counseling and Health Guidance program. This school also has a plus program that is applied to the congregational prayer agenda (dhuha prayer, dhuhur and ashlar) instill a folk charity program, recite, and apply good habits at school.

Thus it is clear that there is a positive correlation between the number of students quantitatively with customer satisfaction in the Blitar Islamic Primary School, so that the Islamic Elementary School is capable and has a high competitiveness. The ability to compete is certainly not a coincidence, but a long and programmed process conducted by Islamic Primary School Blitar in conducting various structuring and



management efforts by stakeholders of Islamic Primary School Blitar. Efforts to manage and organize, certainly can not be separated from the principal role of a leader or principal. The ability of the principal in carrying out the main tasks and functions (tupoksi) leadership, namely as a leader and manager is a key factor for the success of leadership and strengthening the character program for their students. For that it is interesting to do a more in-depth study with regard to the principal's transformational leadership in fostering the character of students.

Definition of transformational leadership

The term transformational leadership is a combination of the word leadership and transformational. Transformational terms are derived from the word to transform which means transforming or transforming something into a different form.[8] Transformative means changeable form (rupa, kinds, nature, circumstances, and so on).[9] Transformational is a big and comprehensive change, not just a change of nature (change), but a leader must have great ambition to make necessary changes in an organization, in order to obtain a higher level of organizational productivity.

Transformational leadership is the ability of a leader in working with others to optimally transform organizational resources in order to achieve meaningful goals in accordance with predetermined performance targets.[10] These resources cover human resources, facilities, funding, and external organizational factors. Transformational leadership leads human resources led to growing sensitivity of coaching and organizational development, joint vision development, distribution of leadership authority, and building organizational culture that is imperative in institutional restructuring schemes.

There are several definitions of some experts on leadership. Damir defines leadership is any action taken by individuals or groups to coordinate and give direction to individuals or other groups who are incorporated in a particular container to achieve predetermined goals.[11]

The notion of transformational leadership according to Burns cited by Yukl transformational leadership is defined as: —*transformational leadership as a process where leader and followers engage in a mutual process of raising one another to higher levels of morality and motivation*.[12] In transformational leadership the followers feel the trust, admiration, loyalty, and respect for the leader and are motivated to do something more than they initially expected.

Thus it is concluded that transformational leadership is a leader capable of influencing or directing subordinates in an effective way to achieve organizational goals that have been

established together, in the context of educational institutions it can be understood that transformational leadership is the ability of a leader to influence teachers and energy education effectively and done together.

The Component of transformational leadership

In the development of transformational leadership there are 4 components as conveyed by Bass[13] dan Avolio [14] which include:

Idealized influence (or charismatic influence)

Idealized influence is a capability possessed by a transformational leader in the "enchantment" of subordinates to react and act in the direction of the lead. In a concrete form, idealized influence is demonstrated through understanding behavior towards the vision and mission of the organization, having firm stance, commitment and consistency to every decision that has been taken, and respecting subordinates. In other words, transformational leaders become role models that are admired, valued, and followed by their subordinates.

Inspirational motivation

Inspirational motivation means the character possessed by a leader who is capable of applying a high standard but also able to encourage subordinates to achieve the standard. Such characters are able to generate optimism and high enthusiasm from their subordinates. In other words, transformational leaders always inspire and motivate their subordinates.

Intellectual stimulation

Intellectual stimulation is the character of a transformational leader who is able to encourage and stimulate his subordinates to solve problems carefully, effectively, evidently and rationally. In addition, this character encourages subordinates to find new ways (creativity) that are more effective in solving problems. In other words, transformational leaders can encourage (stimulate) subordinates to always be creative and innovative.

Individualized consideration

Individualized consideration means the character of a leader who is able to understand the individual differences of his subordinates. In this case, transformational leaders are willing and able to hear aspirations, educate, and train subordinates. In addition, a transformational leader is able to see the potential achievements and growing needs of subordinates and facilitate them.

Student's Characters

Etymologically, the term character is derived from the Latin character, which between mean character, character, psychological traits, budipekerti, personality and morals. The term character is also adopted from the Latin, karakter,

kharessin, and xharaz which means tool for marking, to engravi, and pointed stake.[15]

In terminology (term) character is defined as human nature in general which depends on the factor of his own life. Character is the nature of psychology, morals or character that characterizes a person or group of people.[16]

In the Educating for Character book Thomas Lickona outlines more clearly the characters and 7 components. Explained that the character has 3 interrelated parts: moral knowledge, moral feelings and moral behavior. A good character consists of knowing, wanting and doing good things, habits in the way of thinking, habits in the heart, and habits in action.[17]

While the components of good character according to Thomas Lickona is divided into three components, namely: moral knowledge, moral feelings and moral actions. These three components are interrelated and not a separate unit, because if one component is not implemented then a good karaker will not materialize perfectly. This is explained more clearly in a diagram below:



Understanding students or learner 7 in accordance with general provisions of RI law. 20 of 2003 on the National Education System is a member of the community that seeks to develop self-potential through the learning process available on the path, ladder, and certain types of education.[18] Thus learners are people who have the option to pursue knowledge in accordance with the ideals and expectations of the future. According to Abu Ahmadi learners are the human figure as an individual / person (whole person). Individuals are defined as "one's person is independent of another, in the sense of being a self-determining person and not being forced from the outside, having his own

qualities and desires".[19] While Hasbullah believes that students as learners is one of the inputs that contribute to determine the success of the education process.[20] Without the students, there will be no teaching process. The reason is because learners who need teaching and not teachers, teachers just trying to meet the needs of the students.[21]

So the character of students is the nature of psychology, morals or character that characterizes a person or group of people who have the awareness to lead science that kebradannya affect the success of the learning process.

II. METHOD

In this study described how the headmaster's transformational leadership in fostering the character of students in the Blitar Islamic School Blitar City, the methods and approaches used are descriptive qualitative. Sugiyono describes that by using qualitative methods, the data obtained will be more complete, deep, credible, meaningful, so that the purpose of the research can be achieved. In this study the researcher wanted to dig deeper the various aspects and information about transformational leadership of the principal in relation to fostering the character of the students in the Islamic School of Kediri.[22]

The purpose of descriptive research is to make pecandraan systematically, factually, and accurately about the facts and the characteristics of a particular population or region. Literally, descriptive research is a study that intends to make a description of the situations or events.[23]

In order to obtain complete, accurate and valid data, the researcher used several techniques, namely: (1) Interview / interview, (2) Observation,

Documentation. After the data collected, the researchers conducted data analysis. Steps of data analysis performed, 1) researchers collect all data of observation and interviews in the form of field notes, interview notes, discussion notes, and documentation; 2) the researchers conducted the first analysis to sort the data into categories; 3) the researcher performs a second analysis within each category; 4) perform the synthesis process, which is to process the whole data to formulate the end result; 5) make the final conclusion.

III. RESULT

In an effort to find out how the role of transformational leadership of Blitar Islamic Primary School principal in fostering the character of students can be seen from various indicators as follows:

a. Religious Character

Religious character that is a form of obedience and kepatutan in understanding and implement the teachings of religion (beliefs)

that followed, including in this case is a tolerant attitude to the implementation of religious worship (flow of belief) other, and live harmoniously and side by side. Vision is formulated through the process of thinking together and conducting deliberations among principals, teachers, committees and some parties become one of the ways done by the principal in carrying out his leadership duties. Religious character is the Islamic Elementary School as an Islamic elementary school has the task to realize the generation of faithful Islam on religion. Obedience to this religion in general, and in particular means to print children who are obedient worship, follow the teachings of Islamic religion well, and behave in accordance with the teachings of Islam.

b. Social character

Social characteristics are attitudes and actions that reflect concern for others and the people who need them. SD Islam Kota Blitar also has a vision of the school is the realization of a school that excels in social. With such a vision is certainly for to make it happen the school instills social character. Social character is related to human relationships, caring attitude towards others and humanitarian attitude. This social character is an order of Islam that commands us to harmonize the relationship between man and God with man and man.

There is a reason why the social character implanted in Blitar City Blitar Islamic School is to realize the vision of a school that is superior in social. This social means to cultivate a caring attitude towards others, have a sense of empathy towards the suffering of others and light hand to help others. It aims to carry out the religious command of harmonizing human relations with God and man with fellow human beings. In the process of establishing the character of the sosisal, the principal also performs strategy of giving breadth for students to be able to build their social concept by socializing scra maximally and optimally, through various creativity power of each student.

c. Standalone character

Mandiri is attitude and behavior that does not depend on others in completing various tasks and problems. But this does not mean not to collaborate collaboratively, but should not throw duties and responsibilities to others. Mandiri is a good character implanted, because at the age stage of elementary school children students will learn to do everything themselves. Mandiri began to be familiarized so that children no longer depend on others, especially

with parents at home. Because at the elementary school stage students are getting bigger and must be able to learn to do all their own personal, such as eating, to the bathroom, study, and others. This is what underlies the decision making of independent character planting in Blitar City Islamic Primary School.

Blitar Islamic Primary School instill an independent character to teach students to do private activities without the help of others, especially parents. This is because students are in school from morning to evening, all activities during the school should they do alone without assisted parents. Students must follow their own learning activities, go to their own bathroom, feed themselves, and others.

d. Discipline character

The character of Discipline is habit and action that is consistent to all forms of rules or rules that apply. The character of discipline is very important to apply in school, because every school must have discipline that must be obeyed by students. With the character of discipline students will learn about obeying the order in school. One of the reasons for instilling discipline at Blitar City Islamic Primary School is to familiarize students with discipline to implement school rules. the reason to inculcate the character of discipline in the Islamic elementary school of Malang City is to familiarize students obediently to the rules from an early age so that they will be accustomed to obey the rules as adults.

IV.CONCLUSION

From the description that has been described above, it can be concluded that the headmaster of SD Blitar Islamic School is led by the headmaster who has a transformational leadership style in the form of the ability to formulate, coordinate and internalize the vision to the students through leadership strategy they have.

Principal of Blitar City Islamic School has a very high awareness in shaping the character of students in the school that lead, with the form of vision vision and mission of institutional goals in the form of various components or character points. The character of the orientation as well as the goal of transformational leadership of the principal of Blitar City Islamic School is 4 characters, namely:

religious character, b) social character, c) Independence character and d) disciplinary character.

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Islamic Education Transfiguration in Creating Moslems' Personality in Mts Plus Raden Paku Trenggalek

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Abstract—Transfiguration, borrowing Toynbee's term is an action done by the soul to find out "Godness" world": how is religion re- explored to its higher level. Transfiguration goes beyond the norms, procedures and legal-formalism, but it does not negate them. Therefore, Islamic education transfiguration needs supporting strategic steps to meet the objectives of Islamic education, especially in creating Moslems' personality. The objectives of the research are to figure out: 1.How Islamic education transfiguration in MTs Plus Raden Paku is , 2. Moslems' personality of students of MTs Plus Raden Paku Trenggalek and 3.Supporting as well as obstructing factors in creating the Moslems' personality. This research applied a qualitative method. The research findings show that the Islamic education transfiguration by various media and spiritual activities in MTs Plus Raden Paku Trenggalek has shown moslems' personality figure of the students, although, in some cases there were some aspects which were still far from expectation. The supporting factors came either from the inner side (Islamic environment, moral- supporting regulations, supporting school equipments, moral-based curriculum, teachers' educational background, teachers' professionalism and also teachers' good examples/models) or out side the school (equipment aids, parents' strong Islamic background, strong influence from information media and postive culture and the availability of Islamic reading resources). The obstructing factors were: heterogenous input of the students, the lack of teachers' commitment and discipline in practicing Islamic activities and also the lack of students' awareness.

Key Words: *Transfiguration, Islamic Education, Emotional quotient, Intellectual quotient, Spritual quotient, Personality*

I. INTRODUCTION

The challenge faced by Islamic education lies on how Islamic educational institutions make students not only fully equipped with theories or academic skills but more importantly lead them to

enter the spiritual domain of the Islamic teachings: the Godness area, so that students' soul will absolutely get immersed in the Islamic values. To meet this goal, it is important to set new strategies to improve the quality of Islamic education that in the end it will create generation of students with strong Islamic personality.

A good Islamic education institution should not only pay attention on the academic achievements but it must pay much more attention to how Islamic teachings and values are really implemented in the school. It must focus on the improvement of students' *Akhlaq* or personality as true moslem. Graduates of Islamic education institutions should not merely academically outstanding but the most important thing is that their Islamic personality is well implemented in daily.

Therefore, it is important to understand deeply the condition of students' personality development in Islamic education institutions.

II. METHOD

This research is a qualitative one which only describes and report a condition of a certain object or phenomena without making a general conclusion[1]. In form of description, it is the way to present the facts of an object sistematically and realistically.[2] The data gathering methods were interviews, observation and documentation technique. The data analysis was done by a set of organizing and listing the data into some categorization forms and basic explanation units which could be formulated with working hypotheses which were suggested by the data.[3]

III. RESULT

A. Literary Review on Islamic Education Transfiguration

1. Islamic Education Transfiguration

According to *Kamus Besar Bahasa Indonesia* (KBBI), education is a process of changing behaviors of a person or group people to make them mature by teaching, training, process of actions and educating them.[4] Education is a process of formatting children to be brave, polite and have perfect deeds.[5] Another opinion identifies education as a kind of conscious coaching by an educator to develop students' physical and spiritual domains to create ultimate personality.[6] From the previous discussion it can be inferred that Islamic transfiguration process is a conscious effort to implement and create student, personality by internalizing emotional, intellectual and spiritual education in the learning process.

2. Islamic Education Transfiguration through Emotional Approach

Oxford English Dictionary defines emotion thought movements, feelings, passion, every enormous mental explosion.[7] The personality of human consists of three aspects: soul, mind and passion. *Qalbiah* quotient covers intellectual, emotional, moral, spiritual and religion quotients.[8]

In religion words, emotional quotient is the capability to set a good relationship among human. The center of EQ is "*Qalbu*". Moreover among those that can destroy and weaken the heart are sins.[9] Emotional quotient can also be defined as capability to listen to emotional whisper and make it as an important source of information to understand ourselves and others to achieve a certain goal.[10] In Islam, emotional quotient relates to *istiqomah*, *tawadzu*, *tawakal*, *ihsan*. Those are called as *Akhlaqul Karimah* (good deeds) that taught by Muhammad SAW. Fourteen centuries ago as more important than Intellectual Quotient (IQ).[11]

Ari Ginanjar states some aspects connected with EQ and Spiritual Quotient (SQ) as follow:

A. Consistency (*istiqomah*)

When someone has been able to get his peace in his life, he must keep preserving this condition by being consistent to gain goodness for himself.

B. Being humble (*tawadhu*)

Tawadhu is being loyal to the truth without any objection wherever it comes from. Everyone loves this character as Allah and His Prophet do.[12]

C. Making effort and surrender to God (*tawakkal*)

Imam Al-Ghazali defines *tawakal* as the action of laying ourselves on God's will in facing our intention, solving problems,

being heart-persistent in facing disaster with peaceful heart.[13]

Sincerity (*ikhlas*) and totality (*kaffah*)

Sincerity will avoid someone from being perfectionist for anything that he does. This behavior will save him from being restless and anxious because of the unfulfilled target.[14] Totality means doing good deeds not only for the sake of himself but for others.

Balance (*tawazun*)

Human and Islam are both God's creation which are in line with *Fitrah* (basic natural characteristics) that has three kinds of potencies: *Al Jasad* (physic), *Al-Aql* (mind) and *Ar-Ruh* (soul). Islam wants those three domains in balance (*tawazun*).[15]

Integrity and Perfection (*Ihsan*) [16]

Integrity is the unity of some separated things to be an integrated unit with some specific goals and intention.[17] *Ihsan* is the condition in which we pretend to see God in worshipping Him.

D. Islamic Education Transfiguration via Emotional Quotient

According to some experts, there are various ways to elevate children's emotional quotient:

Quraish Shihab

Quraish Shihab states that to promote children's emotional quotient one can use stories as the media of teaching. This method can develop their emotional quotient as well as their imagination and memory capacity.[18]

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Islam education clean the students' hart from heart diseases and fill it with good deeds and behaviors such as: sincerity, honesty, love, helping each other, making companion, visiting relatives and other respectable behaviors. These are the points of Islamic education.[19]

Suyadi

Educating emotional quotient means teaching *Dzikir* because there is a strong relation between it and quotient. The collaboration among EQ, IQ and SQ creates new quotient which is called as Ma'rifat

Quotient.[20]

This simultaneous quotient applies subconscious power which is much more powerful than the conscious one and to activate must through;

Pray and Play

The first step is to develop the awareness that one must struggle to gain his success but the result is on God's decision. It is the secret of God for those who understand.[21]

Istiqomah (being consistent)

Istiqomah is self persistent on the right way on the Islamic faith.[22]

Exercises: Obedient breath

Sabar is being obedient and restful.

Developing Quotient

Through total memorization to God, consciously, we attract what we need for our memorization is the soul or substance of what we hope.[23]

Self-confidence.

It is the condition in one's soul that he can be beneficial for themselves and others can motivate to be optimistic, creative and positively dynamic.

Jalaludin Rahmat

According to Jalaludin Rahmat, to gain emotional quotient one should do the following:

Muraqabah. Monitoring our daily reactions and behaviors.

Muhasabah. Calculating good things and bad things one has done.

Mu'atabah dan *Mu'aqabah*. Protesting against bad things done and punish ourselves.[24]

Islamic Education Transfiguration via Intellectual Education.

Intellectual behavior as the reflection of educational soul preserved. In implementation, we need foster intellectual values developed between students and educators. Teachers should be the model of education who spread intellectual cultures with their intellectual outcomes. In Islamic education context, *Qur'an* and *Hadits* are the life long inspiring aspects to promote intellectual development.

f. Islamic Transfiguration Education via Spiritual Education Approach

Education is closely related to human's soul and characters. And every one has basic religious instinct or spirit that can be the base of character building process. It is the function of Islamic education to trigger and elevate this human's inner natural potency. This spiritual dimension integrates, motivates and influence all aspects of human's life.

B. Literary Review on Moslems' Personality

Moslems' Personality

Personality is the behavior that is performed by its constitution (Psychophysics) in daily life. Based on that definition, Wetherington defines personality as follow:[25]

At first human is a person that then be formed by his learning and social environment

b. Personality is the term to define someone's behaviors integratedly not separatedly.

c. Personality states specific definition on someone else's thought

Personality is not static and is not related to race or body but defines integrated someone's behaviors.

Personality does not passively develop but every one actively use his capacity to adapt himself socially.

Different from those western terminologies, Islamic personality is not merely *indigenous psychology*, but also regarded as cross cultural, cross ethnic and language personality. It is often called *rahmat li al-'alamin*, covering both *syahadah* (empirical) and *ghayb* (metaempirical) world even the eternal life.[26]

In Islamic psychology, the term personality means the following things:

First, Islamic personality is based on the Qur'an and Hadits. Thus, the formulation of personality is deductively normative for its followers.[27]

Second, Islamic personality is also practically inductive, it is derived from studied Moslems' daily behaviors. From these observed behaviors we can learn good and bad things which may or may not be the implementation of their religion. In this context, a Moslem's personality does not always reflect Islamic personality.[28] Then, to ensure that moslems' personalities are[29]:

Humanistic Personality

It covers individual and communal personality.

Transcendental Personality

It is formed under the guidance of the Holy Quran.

Influential factors to Personality

Human's personality is dynamic meaning that it is influenced by various factors among others:[30] a. Internal

Body constitution, physical structure and condition, motoric coordination, mental capacity and specific talent and emotionality.

b. Environmental

It relates to family and school environment.

c. Cultural

Some of those cultural factors are[31]: Values, customs and tradition,

knowledge and skills, language and material possession.

2. Personality Formation Process

The ultimate characteristic of Islamic personality is the formation of *Akhlaqul Kariimah*. The process to form it can be categorized:[32]

Humanistic Personality Formation

Islamic individual personality formation can be applied through three kinds of education:

Prenatal Education

This education process is term of giving *Halal* food and their sincere acceptance to the baby's coming.

Education by Another

This kind of education is directly done parents at home, teachers at school, community leaders and Islamic scholars.

Self-Education

A directing education by reading books, magazines, newspapers.

Collective personality formation on the community.

It is done by formatting individual personality and preparing conductive tradition and condition to improve the community's personality in general.

Transcendental Personality Formation The process of personality formation can be actualized through developing Islamic values in the relationship with God. The implantation can be done by:[33]

Believe in God

Doing God's instructions and avoid prohibitions

Being afraid and faithful to God

Thanking God

Always pray to God and praise Him every time.

The process of personality formation consists of three steps:[34] habit formation, awareness, behavior and intention formation, noble religious awareness formation. That processes actually needs supporting facilities such as:[35]

Mosque

Community guidance and some rooms for counseling, leading, religion observation and community service

Religion laboratory

Computers and Internet access.

C. Islamic Education Implementation in Building Moslems' Personality in MTs. Plus Raden Paku Treggalek.

Islamic Education Implementation

Learning Process and Religious Activities

Learning process and religious activities, like in other Islamic education settings are commonly used as a means to actualize Islamic education to promote students' Islamic personality development.

Curriculum

Moral based curriculum has lead the actualization of Islamic education in this institution. The time allocated for religious learning activities was well scheduled.

Guidance from Class teachers, Subject Teachers and Guidance and Counseling Teachers.

The communication was built friendly and informally for many teachers lived in the school surrounding that they could meet the students frequently.

School Policies and Codes of Conduct

Students attend to Islamic Routines like recitation of the Holy Qur'an and performing 5 times daily pray in groups.

Moslems' Personality

Religious Worshipping Activities ('*Ibadah*)

Five times daily prayers (*sholat fardzu*)

Additional Prayers (*Sholat Sunnah*)

Ramadhan Fasting Additional Fasting (*Shoumus Sunnah*)

Social Relation Aspect (*Muamalah*)

Social Companion

The relation between man and woman who are not *Mahram* (opposite sex forbidden to marry)

Dressing

There is specific rule related to body part that should and should not be shown or called *Aurot*.

Politeness

Being polite to parents is strongly recommended by Islamic teaching.

D. Supporting and Obstructing Factors in Building Islamic Personality in MTs Plus Raden Paku Trenggalek

Internal Factors

Supporting environment is done through reciting Holy Quran after *Shubuh*, before and after *Magrib* elevated the creation of Islamic personality.

The function of codes is very effective to foster good behavior in term of the dressing codes.

The availability of school means, among others mosque, praying equips, library with Islamic books.

The curriculum is very influential in the learning process.

Teachers' educational background that is able to support teaching quality.

External Factors

Developing a school could get sufficient aids from external parties either from government or non-ones.

Parents' education background influences education styles implemented to their children.

Students in this school were influenced positively by information and cultural media from their school environment.

Islamic book resources also were contributed to the students' Islamic personality development in this school especially in expanding their thoughts.

Obstructing Factors

Various students' educational background (from Islamic and state schools) became obstacle in promoting students' Islamic personality.

The lack of religion teachers and discipline in strictly managing religious activities at school.

Students' awareness on importance of religious activities is importance to actualize Islamic education.

The concept of spiritual based education will hopefully lead to the Islamic education transfiguration by which religion is re-explored to its higher level. This transfiguration will go beyond the norms, procedures and legal-formalism but it does not negate them. This transfiguration will make Godness area becomes unseparated part of human education. Thus, Islamic education will not be stuck on the modern spirituality which sometimes goes beyond the religious limits.

IV.CONCLUSION

Islamic education transfiguration is a spiritual based on education in which religious

routines are performed consciously under students' soul, awareness and heart involvement. Islamic education transfiguration qualitatively develops religious soul in its every learning process. Islamic education transfiguration promotes emotional quotation of the students and other educational involving partners. Islamic education transfiguration is a spiritual based education which develops spiritual education on the students' soul.

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Learning Management on Curriculum 2013 to Develop a Character Education of Elementary School Students

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Abstract—The results of this study are written to reveal more in-depth about Learning Management curriculum 2013 to develop character education of students in three elementary schools in Tulungagung and Blitar regencies that have different characteristics. This research focuses on four things: planning, implementation, evaluation and supervision of curriculum learning 2013 to develop character education students. This study uses a qualitative approach if it is a multi-case design study. Data collection techniques use in-depth interviews, participant observation, and documentation study. Data credibility checking is done by triangulation technique, member checking, and peer discussion. The data collected through the three techniques is organized, interpreted, and analyzed repeatedly, either through case or cross-case analysis to construct concepts and abstractions of research findings. The results show that teacher at the elementary school is ready in implementing the curriculum 2013, began planning, implementation and evaluation of learning which includes KI 1, KI 2, KI3 and KI4 to develop character of students, so the results for KI 1 children have great worship character, KI 2 children have high social awareness and parents appreciation, a fellow love and help each other in all things, while for KI 3 children win the MIPA and KI Olympiad 4 children skilled in the laboratory. Supervision of internal learning is done by the principal in the form of academic supervision and external supervision is carried out by officers from the Ministry of National Education and Ministry of Religious Affairs academic supervision and managerial oversight.

Keywords: Learning Management, Character Building Student, Elementary School

INTRODUCTION

Management of learning to develop character education of students is something that should be implemented as an attempt to overcome the problem of moral crisis of Indonesia. Various problems that occur today show that the moral crisis experienced by the Indonesian nation. All deviant behavior among learners clearly shows the fragility of the character is quite severe. This situation is caused by the lack of optimal character development in educational institutions, especially in basic educational institutions that are vulnerable

to outside influences, in addition to this also because of unsustainable environmental conditions.

The right effort is through education. It has an important and central role in the development of human character. Through education is expected to occur a transformation that able to grow and to develop a positive character, and change the bad to good character or from negative to positive. Education has important role in overcoming the moral crisis because education is a business or process aimed at fostering the quality of human resources completely.[1]

The location of this research is in madrasah and elementary school. Madrasah means the place to study and learn the same characteristics as a formal educational institution in general. Primary School is an educational unit that organizes six years of education[1]. Islamic elementary schools are part of basic education.[2] Elementary School, Madrasah Ibtidaiyah and Islamic elementary school as part of the national education system, has several component systems such as the pupil (as the main input), teachers and school personnel other learning facilities, teaching aids and textbooks, curriculum, tuition fees, and school environment, which are often related to each other for the realization of the process and the results of good education. The quality of the school is determined, among others, from the quality of the components of the system.

One such component is about learning. Learning is an environmental arrangement that gives nuance for learning programs to grow and develop optimally. Learning should be well managed so that the learning objectives can be achieved effectively and efficiently, with the term management of learning. The management of learning as one of the substance or standard of management of education shows that there is a need for strong linkages in each part. Learning management is the utilization of existing learning resources, both factors that come from within the individual who is learning and factors that come from outside the individual self to achieve educational goals. The learning

management in this study includes the activities of curriculum, planning, implementation, evaluation and supervision learning curriculum 2013, as for the detailed explanation as follows.

According Teguh Triwiyanto 2013 curriculum learning plan is a set of plans and settings of learning activities, learning media, time, classroom management, and assessment of learning outcomes curriculum 2013[3]. Meanwhile, according to Masnur learning plan curriculum 2013 or so-called Learning Implementation Plan (RPP) is the design of lesson subjects per unit that will be applied teachers in learning in the classroom. Based on the 2013 RPP curriculum a teacher is expected to apply the learning programmatically[4]. Therefore, the 2013 RPP curriculum must have high *applicability*. Without careful planning, it is impossible to achieve maximum learning target. On the other hand, through the RPP of the 2013 curriculum can be known the level of ability of teachers in carrying out their profession.

While the meaning of the implementation of learning curriculum 2013 is the process of teaching and learning in the classroom which is the core of the activities at school. So the implementation of teaching is the interaction of teachers with students in order to convey the lesson materials to students, including managing the classroom to achieve the purpose of teaching, while Miller states that the implementation of curriculum and learning is the embodiment of the curriculum is still a written document to be actual in a series of learning activities.[5]

According to Sukmadinata (2001) to implement and learn the curriculum in accordance with the planning, required readiness, especially the readiness of the implementer. Whatever the design or curriculum planning and lessons learned, the success of the implementation is highly dependent on the implementer, such as the teacher. K curricula have a simple, but supported by the capabilities of the teachers, passion, dedication result will be better than the design of the curriculum is great, but the ability, passion and dedication of teachers is low. Implementation of the 2013 curriculum through a *scientific* approach includes three main activities, namely preliminary activities, core activities, and closing activities.

The next step is supervision of learning. When an educational unit or school implements the Curriculum 2013, according to Permendik bud's mandate (Minister of education rule) No. 65 of 2013 on Standard Process of Primary and Secondary Education, it is necessary to supervise. The learning process will be supervised and through monitoring, supervision, reporting, and follow-up activities. This

supervision is conducted periodically and continues. Supervision conducted on teachers who do the learning process can be done by the principal or supervisor of the Ministry of National Education and Ministry of Religious Affairs.

The purpose of this study is to describe the learning management of curriculum 2013 to develop character education of students. The focus of this research is How can planning for learning, implementation of learning, evaluation of learning and supervision of curriculum learning 2013 to develop character education of students.

Studies on the curriculum of 2013 and character education are quite extensive, for example, the study of Arifatul Khikmah, Syaifudin, Simorangkir, Elly Sabeth, Tamsari, Tukirin and Hartshorne and May, certainly contributed to this study, especially to expose secondary sources. However, this paper is different from the various studies. Because, this paper has its own focus that makes it different from the study of the implementation of the 2013 curriculum conducted by these scholars.

Arifatul Khikmah in the management of learning to increase the achievement of PAI in MIN Kalibuntu Wetan Kendal, the result of his research that the management in MIN Kalibuntu is good enough that includes the planning, implementation and evaluation of learning, with the effort to improve self-ability, dedication, improving the learning process, and the environment, and with the management of learning can improve PAI learning achievement.[6]

Syaifudin (2012) mentions, the management of character education in SMP Negeri 1 Pacitan in a school setting on character education realized in the form of strategy implementation interventions include strengthening educational values character of the nation on development curriculum, preliminary KTSP, vision and mission schools, subjects, local content, and self-development. As for strategy habituation includes the implementation of educational values character of the nation on school culture, rules of school or classroom rules, exemplary, and habituation of school children.

Simorangkir, Elly Sabeth in management learning curriculum in 2013 by teachers in class X (qualitative descriptive studies in SMAN 1 Putri Hijau), Thesis, University of Bengkulu, the results of his research is the learning management at SMA N 1 Putri Hijau has not been accomplished in accordance with the reference implementation of the government and schools where teachers and books become the main factor.[7]

According to Tamsari (2012) mentions the application of character education students through habituation (*Habituation*) or school culture such as

habituation shake hands, say greetings, dhuha prayer, is an activity carried out in the environment schools that in still character values with basic concepts. Learning methods the character of the student is varied, always try associate or include material or subject matter discussion into character values. Then give advice, direction, wisdom, religious speech, always do goodness in accordance with Islamic values, which done before or after or on the sidelines of the delivery of the material.

Mention first, program development the curriculum of al-Islam, including: the annual program, semester programs, program modules, programs weekly and daily, and enrichment programs and remedial. Second, the implementation of learning al-Islam, including: pre-test (apperception) process, and posttest. Third, evaluation of results learners learn, include: daily test, Deuteronomy Middle Semester (UTS), and Deuteronomy End of Semester (UAS). The fourth, Activities in the curriculum of al-Islam, include: *tadarus*, memorization of letters short, dhuha prayer, dhuhur prayer, Friday prayers, and *baitu arqam*. [8]

Hartshorne and May (in Mulkey & Young Jay 1997: 35-37) that character education programs, religious lessons, and influential moral training on behavior of students. Conclusion some programs from character education, religious lessons, and moral training have an effect on student moral behavior.

METHOD

This study is a qualitative study that describes the condition on the object under study, based on differences in the characteristics of the subject and focus of research, this study was designed using multiple-case study designs (*multi-case studies*) [8]

The presence of researchers in qualitative research is required. Because this type of research prioritizes the findings of observations on various existing phenomena and interviews conducted by the researchers themselves as a research instrument (*key instrument*). The type of data in this study can be divided into two, namely primary data and secondary data. Primary data is obtained in the form of verbal or spoken words or speech and behavior of the subject (informant) relating to community participation in school development. Whereas secondary data comes from documents, photographs and objects that can be used as a complementary primary data. Because this research uses multiple case study design, the sampling technique of this research is used in two stages: (1) single case study in the first case used purposive sampling technique that is looking for *key informants* that can inform the researcher

about the required data; (2) the sampling method as in the first case is used to obtain data in the second and third cases. With purposive technique, finally the sample that becomes the key informant as the source of data are: (1) the Headmaster, and (2)

the Vice Principal [7] the curriculum section, the key informant is then developed to find other informant [8] with snowball sampling [10]

To obtain data *holistic and integrative*, and pay attention to data relevance with focus and purpose, hence in collecting data of this research used three technique, that is: (1) *depth interview*; (2) *participant observation*, and (3) *study of documentation (study of documents)* (Bogdan, RC & Biklen, SK 1990). Data analysis in this study includes: arranging, sorting, grouping, coding and categorizing with the purpose of finding the theme. (Moleong, 2000). In this research to analyze multi case design research data is done two stages, that is individual case data analysis and (2) cross-case data analysis, as suggested by Yin (1984). The validity of the data in this study used criteria as recommended by Lincoln & Guba (1985), namely: (1) credibility, (2) transferability, (3) dependability and (4) confirmability.

The background of this study is the three basic Islamic educational institutions in East Java. Namely SDI Al-Azhar Tulungagung, MI Perwanida Blitar City and MIN Sumberjati Kademangan- Blitar District. Site selection is done *purposively*, with consideration and reasons for the uniqueness that is owned, under the leadership of the principal, these three madrasah have achievements in all fields and the students have strong character such as honesty, tolerance, cooperation is not free from the success of his teachers in implementing the 2013 curriculum.

RESULTS

Based

on whole data exposure and results analysis data on each individual case and multi-case analysis, it can be put forward results as the following:

Planning Learning Management Curriculum 2013 to Develop Character Building Student

A Curriculum pattern has been mapped from both instrument (SD) and MORA (MI) and the combined, then adjusted time, then deputy head teacher curriculum - Teacher arranges according to expertise and their teaching load, ie classroom teachers and subject teachers .

bTeachers join to the Teacher working group (KKG), and as a K13 interviewees, because these three agencies are as a K13 pilot project. Students need condition and adapt before the 2013 curriculum is

applied, because in this curriculum is required students actively

Teachers provide the learning tools such as instructions, implementation instruction, KI KD, syllabus and RPP. Syllabus has been prepared from the government, the teacher just develop it while the RPP is made together with the KKG cognate as well as to make the module book and its LKS (student worksheet) . The steps in preparing the lesson include book analysis and KD, then instructional administration including KI & KD, rubric assessment KI-

& KI-2, verification of learning resources, then learning media and student workbook, and KI-4.

All three schools do not apply pure K13 because there are still national exams (centralized test) , so they still use KTSP, run slices K13 slice while KTSP for enrichment of the material especially for grade 6. K 13 learning scenario. Including media selection, and learning resources. For the media WIFI, LCD and LED while learning resources not only teachers but also the environment related to the theme.

Assessments should conform to achieve indicators consistent with the basic competencies, core competencies and graduation competency standards. In evaluation of lesson planning, the good competence will be rewarded at the end of the semester. But conversely the less competence, they will follow-up training and founding.

2. Implementation of Learning p on Implementation Curriculum 2013 to Develop Student Character Education

Teachers teach heterogeneous students but they can still give fit portion, in accordance with the character of the students. **KI 1 Religious** the development of the character that formed the impact on his religious behavior, regular worship and controlled, at school and at home. All the subject matter is associated with the religious values, and all the teachers are as model in performing the worship.

As a model, The teachers have to be able to recite holy Quran in order to implement to the students. The less qualified teachers will be trained to improve their Quran skilled recitation. It is hoped their character modeled by the students. If the teacher is good, his character is good, so the impact on his students will also be

good. Students are accustomed to recite and tahfid Al-Qur'an, Dhuhr prayers in congregation and Dhuha daily prayers not only at school but also at home. Both teacher and student guardian connected with companion book which control student's activities. The guardians are also grouped into WhatsApp group to monitor the students.

The reinforcement of KI 1 and KI 2 acts is linked, complementary and strengthening, KI 1 of its religious and social KI 2 characters , it can be implemented in both learning and outside the classroom.

- d **KI 2 Social :** the development of the character that is formed is the behavior of students. They behave to teachers, parents, friends, to help and to love each other. In working group, they give input and help each other in completing the task given by teacher. Attitudes are not only taught verbally, but also through example. The teacher is an exemplary example for his students and the central figure of education, by studying outside the classroom also train the child's social.

Extracurricular activities also support KI 2, such as boy *band* scouts and *drums* which trains the student's independence , courage and social life. KI 2, including the brave and honest character. In the exam is always reminded that students are accustomed to be honest and not cheat. At school and community honest and brave characters always appear for example at school there are kelengkeng and mango trees, none of the students who dared to pick them even though the fruit are ripe. KI 2, including accustomed to clean living and love the environment around the school and home by doing habituation not littering

- f **KI 3 Kognitif:** character development formed are students to be intelligent, accustomed to think critically and **creatively**. Because accustomed to read and tahfid Al-Qur'an in Islamic educational institutions is to make the student's high memory into the lesson, so they can win the Olympics champion.
- g This Cognitive includes standardized processes that focused on exploration, elaboration, and confirmation complemented by observing, questioning, processing, reasoning, presenting, summarizing, and creating. Learning media that has been supporting are projector wifi, and LED.

- h The rule -violated students find punishment by reciting Quranic verse, Yasin or short letters that have been memorized children, on the walls of the class is also displayed short letters and letters Yasin. This is to strengthen the KI 1. Students are suggested to play Islamic games, hide and seek for the losers memorize short letters and so forth.
- i Teachers are not the only source of learning. For the top of the theme children are usually taken to the original learning source / in fact, for example the Serut hydropower.
- j Society has acknowledged the success of teachers in teaching students *in put* his evident is always booming, children good morals and its *Came out* is always above average compared to other institution.

KI 4 Psychomotoric, learning should be comprehensive. Teachers attempt to teach comprehensively, although they also have limitation. They apply theoretical and practical system.

For practical, the students are introduced the nature to observe phenomena. They observe, take note, take photograph and record in making report. In order to make it more interesting, teacher adds *out bond* that is not saturated or anywhere else in accordance with the peak of the theme that is being studied.

Learning Evaluation on Curriculum 2013 to Develop Student Character Education

Evaluate KI 1 and KI 2 using journals, observation, self-assessment and among friends performed in rubric form as in RPP. While KI 3, using written test, oral test, and assignment. For evaluation of learning, there is a daily evaluation of the assessment process, middle test and final test. Practical KI4 and assignment to produce the product, all done with authenticity

At all levels the practice is also held and mandatory. For example, students practice the haj manasik. If the theory seems complicated, then it needs to be added practice. Sports and art also exist practice, the theory is inserted as well. Everything is blended in thematic.

Remedies and enrichment, students who are low academic but high nonacademic ability then in cooperation with part student. There are 20 more self-development programs, so in the assessment we enter into KI 4. Could be

later in his attitude is also good, then maybe the value of his KI 3 standard with others, so still balanced

For more students, start grade 4 every year we rank, let's say here every level we have 4 classes, then the student whose good value we put into class A but the class name we disguise the name of the prophet. When the new 4th grade there are excellent classes and regular. The superior classes we use different KKM standards so the teaching is also different. We also have basic values for scholarships but we do not floor it so it does not look

Supervision of Learning on Curriculum 2013 to Develop Student Character Education

- a The in-ternal supervision consists of supervision by the thematic parallel leaders, from which the peer assessment is made. Supervision from the deputy head of the curriculum, from there will come down when it gets the report. Supervision of the principal is held once a week as a whole, as well as learning activities within 1 week are evaluated. Occasionally come representatives from Ministry of Religious Affairs and foundations for private schools.

The external supervision of the Supervisors of Islamic Education and the Ministry of Religious Affairs, the region of supervision is academic supervision. Supervisors of Islamic Religious Education carry out academic supervision and managerial oversight through monitoring, assessment, guidance, reporting, and follow-up

- c Academic and Managerial Supervisory Follow up: Academic Supervision to improve teachers' professional skills. While the principal managerial supervision to improve the quality of the implementation of educational units.

These three elementary schools of Islam are the pilot project of the curriculum of 2013, so that this school is better than other schools seen from the readiness of its teachers and students and its teachers are used as resource persons in implementing the 2013 curriculum in KKG, in K even sometimes invited in other schools to provide enlightenment and explanation of the curriculum of 2013 and implement in learning.

Research findings show, s structures are at curriculum has been mapped and adapted to the curriculum of the National Education in Islamic primary school and Ministry of Religious Affairs Elementary School, later adapted to the local curriculum institutes and combined are

at SDI Al-Azhar and MI Perwanida but if the school MIN country Sumberjati her pristine curriculum of religious Kemeterian not reduced and supplemented, the next step to adjust the learning time , both private and public schools, then choose the teacher –Deputy school curriculum according to expertise and their teaching load, the class teachers and subject teachers and all teachers in these three Islamic elementary schools have been professionally fulfilled and certified. The above research findings are in line with Miller's idea that curriculum implementation and learning are the manifestations of curriculum that are still written documents to be actual in a series of learning activities[11]

The curriculum planning and learning (in the form of policy) will not give any meaning if the policy is not implemented in the form of programs and activities. To implement the policy, policy recommendations that have been formulated need to be incorporated into the program or activity.

Miller's statement is reinforced by Tilaar and Nugroho's statement that in the formulation of educational policy, supported by field research, a program can be prepared by most learners so that all learners in their respective groups, such as in the class system can follow the program presented in the curriculum of a certain level of education.

The research findings of these three Islamic schools are always well-connected to the family as instructed in the 2013 curriculum and proven by the three institutions of SDI Al Az-har, MI Perwanida and MIN Sumberjati with a companion book between teachers and parents so that parents can supervise their children in the activities of worship, social and independence at home in accordance with h acyl research Arifatul Khikmah (2015) on the management of learning for performance improvement PAI in MIN Kalibuntu Wetan Kendal, one of the research results is the quality of learning by efforts to improve themselves, dedication, improving the learning process, optimizing the role of family, and the environment, and with the management of learning can improve learning achievement of PAI.[12]

This Islamic elementary school, since implementing the curriculum of 2013 with thematic guidance of guardians in this institution has been actively involved, in supporting the learning, may supervise the activities at home about his worship, social and independence, also do not forget to accompany in doing homework. Guardian student deliver opinion any pl ease for progress put his daughter, who is inhabited in community class.

The findings of the study show that (1) the students very heterogeneous but the teachers are still can give portion teaching that fits, accordingly with character students, (2) KI

1 related with character religious, effect on religious behavior, regular worship and well controlled at school as well at home, (3) all materials attributed to religious values, all teachers as well be for example role model for their students..

The above findings are in line with Sukmadinata's opinion that KD-KD is organized into four KIs. KI-1 deals with self-attitude towards God Almighty. KI-2 deals with character and social attitudes. KI-3 contains KD about knowledge of teaching materials, sed balustrades KI-4 containing KD concerning the presentation of knowledge. KI-1, KI 2 and KI-4 must be developed and grown through the learning process of each subject matter in KI-3, for all subjects. KI-1 & KI-2 are not taught directly but *indirect teaching* in every activity. The findings of subsequent research are (1) all teachers should be able to study, at the beginning. The less competent teacher should be improved. If the teacher is good, good character, so there will also be a good student, (2) Children have recited and tahfid accustomed to read the Qur'an, mandatory or sunnah prayers every day at school, and always in control and evaluated both teacher and parent, (3) the existence of companion book between schools and homes, between teachers and parents also have WA groups so usually the parents also reported whether the child worship or not, as it via WA, (4) Character Strengthening KI 1 and KI 2, linked, complementary and strengthen students' right character is religious and social.

The findings of the study is in line with the results Tamsari, (2012) mention the implementation of character education students through habituation (*Habituation*) or a school culture as habituation shaking hands, greeting, praying sunnah Duha, an activity performed in the school environment that instills the values of character with the basic concept. The method of learning character of the student is varied, by always trying to relate or enter the material or subject into character values (*reflective*). Then give advice, direction, discourse, tausiyah (religious speech), always do good in accordance with the Islamic values , done before or after or on the sidelines of the delivery of material.

Other research findings that (1) KI 2, the character formed by the students' behavior with the teachers appreciate, with the people respect, the children of fellow friends help each other and love each other, in group work, mutual input and help each other in solving (2) the teacher is an exemplary example of his or her students and the central figure of education, (3) is not only taught verbally, but through examples and examples, by

learning outside the classroom also training the child's social. 4) Extracurricular activities also support KI 2, such as scouts and drum bands that train self-reliance, courage and social life of children.

The findings of the research are in line with Silverius's point of view, that teacher is an educational figure in effort to set up a cadre of many people, the key to be success educational reform. In a several factors that influence the process and the students' learning results, the teacher factor gets first and foremost attention, because the implementation of curriculum in the end depends on the activity and the creativity of the teacher to explain and realize the curriculum direction. Therefore, the teacher must be professional in performing his duties.

Other research findings are (1) extracurricular activities also support KI 2, such as scouts and marching bands that train children's independence, courage and social life, (2) KI 2, including in brave and honest characters. The nature of the exam is always reminded that children are accustomed to being honest and not cheating. In school and community the character is honest and bold always look for example in school there is kelengkeng and mango tree, none of the children dare to pick it even though the fruit is ripe and taste very sweet, (3) KI 2, clean living and love environment around school and home by doing the habit of not littering.

The results above are consistent with Hartshorne and May's research studies (in Mulkey

Young Jay 1997: 35-37) that character education programs, religious lessons, and moral training influence students' moral behavior. The research in the journal concludes that some courses of character education, religious instruction, and moral training have an effect on students' moral behavior.

The findings of subsequent research are that KI 3 cognitive, encompassing process standards focused on exploration, elaboration, and confirmation supplemented by observing, questioning, processing, reasoning, composing, concluding, and creating, (2) The media that has been support of learning is a media projector wifi, and LED, (3) for accustomed to read and tahfid Al-Qur'an in Islamic educational institutions is to make the child's high memory into the lesson, so they can be Olympics champion, (4) teacher is not the only source of learning. For the top of the theme students are usually taken to the original learning source / in fact, for example the Serut hydropower.

The results above are in line with what Mulyasa explained that teachers are not the only source of learning. The learning process does not only occur in the classroom, but also in the school

and community. Therefore, academic-non-academic (physical and non-physical) climate is a prerequisite for effective character education. The safe and orderly school environment, high optimism and expectations of students conducive environment of school, and student-centered activities are schools that can foster learning spirit and learners' character. The creation and conditioning of school climate is the authority of the school, and the principal is responsible for making more intensive and extensive efforts.

The findings of subsequent research are

KI 4 Psychomotoric, learning must be comprehensive, the teachers also cultivate so, sometimes there is also the practice first new material. God willing all done, although with limitations, (2) for practicum such as student for the introduction of nature so usually taken for example to PLTA Serut, they are observing, taking notes or photographing to make a report, so more interesting plus out bond to not saturated.

While in the psychomotor realm, which is a direct learning experience of learners gained during the learning in the classroom, in the school environment and in the community, because in the context of learning curriculum 2013 is a learning that requires students to learn through a series of experience of scientific work in differentiation. Leighbody (1996) suggests measurable elements,

the quality of work completion, (2) the skills of using tools, (3) the ability to analyze and plan work procedures to completion, (4) the ability to make decisions based on information applications given, and (5) the ability to read, using diagrams, drawings, and symbols[13]

The findings of the study are as follows: (1) e-valuation of KI 1 and KI 2 using journal, observation, self-assessment and inter-peer done in rubric form as in RPP, (2) KI 3, using written test, oral test, and assignment. For the evaluation of its learning, there is a daily evaluation of process assessment, middle test and final test, (3) KI 4 with practice and assignment to produce the product, all done authentically.

Wiyono and Sunarni explain that for learning information that is required in basic information that accurate. Basic information that is accurate it can be achieved through measurement activities. There is linkages that very tightly between measurement and evaluation. Measurement is process d

scribe something circumstances on quantitative, while evaluation or assessment is process give value (*value*) to circumstances that is exist.

The findings of the research are (1) the supervision by the parallel leaders of thematic learning, thereby being assessed by the friends of the universe, (2) the supervision of the vice-head of the curriculum, from which it will go down when it

gets the report, (3) teacher held once a week as a whole, as well as learning activities within 1 week evaluated. Occasionally come representatives from Ministry of Religious Affairs and foundations for private schools. .

According to Sergioivanni, supervision is not intended to give a verdict about a person's ability or control of his work, but rather leads to a form of cooperation between superiors and subordinates. Thus the supervision conducted by the Principal to the teacher in implementing the learning directed to obtain authentic data about the advantages and disadvantages of teachers in implementing learning in the classroom. Excellence can be used as a material for further study and development, it can also be used as an example to other teachers, whereas deficiencies can be used as a further coaching material to the teacher.

IV. CONCLUSION

The results of the study in the three Islamic elementary schools show that the first instrument curriculum structure has been mapped by ministry of religion. The teachers joined the Working Group (KKG), and as resource persons K13, as this institution became the pilot of K13 project. Students are also prepared, need conditioning and adabting before the 2013 curriculum is applied, because in this curriculum is required of active students. Teachers are prepared for learning tools such as proto porm es, KI KD, syllabus and RPP, then the deputy head of the curriculum arranges teachers according to their expertise and burden of teaching, ie classroom and teacher of study. Second KI 1 deals with the

religious character, impacts on its religious behavior, good and controlled children's worship, KI 2, the character formed by the students' behavior with the teacher appreciates, with respectful parents, fellow children mutual help and caring each other, in the work groups, giving each other input and helping each other. KI 3 cognitive, because accustomed to reading and tahfid Al-Qur'an in Islamic educational institutions is to make the child's memory into the lesson also become high, so it can be the Olympics champion by accentuating Al-Quran. KI 4 Psychomotoric, learning is indeed flow thoroughly, the teachers cultivate like that, sometimes the former first material, or vice versa. Third evaluate KI 1 and KI 2 using journals, observations, self-assessment and among friends are done in the form of rubrics that as in the RPP. While KI 3, using Written test, and oral test, and assignment. For evaluation of learning, there is a daily evaluation of the assessment process, mid term test and final examination. KI 4 with practice and assignment to produce the product, all done with authenticity. Fourth Supervision internal consists of supervision by thematic parallel teaching chairman, deputy head of the curriculum, principal and the added foundation for private schools. External Oversight of the Supervisors of Islamic Religious Education (PPAI) and Ministry of Religious Affairs, Follow-up of Academic and Managerial Supervision: Academic Supervision to improve teachers' professional skills. While the principal managerial supervision to improve the quality of the implementation of educational units.

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Logic Model Evaluation to Work Oriented Education Program Through Joint Madrasah Community

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Abstract - Work oriented education program in madrasah aliyah students was initiated by STIT Pariaman Syekh Burhanuddin Pariaman as learners' skills training program formulated into local content subjects. This program provides training assistance in calligraphy creative industries based on digital marketing and public speaking. The aim of this research was to evaluate the program in preparing the employable graduates of madrasah and reducing unemployment. The method of this research used community based research design. Qualitative data analysis including, data display, verification and conclusion. The analysis of quantitative data used independent t-test. Results of research reported that Joint Madrasah Community was proven significant effect on strengthening students' life skills. The success of this program about sixty four point seven percent absorbed by creative industry sector. Recommendation for this Program should be continued to expand the network of madrasah communities by involving a lot of public and private madrasah in Indonesia.

Key words - Logic Model, Work-Oriented Education Program, Joint Madrasah Community

1. INTRODUCTION

Seeing Indonesia Educational Statistical Report in Brief 2012 the Ministry of Education and Culture reported the overall number of madrasah is 44,979 units. It is less than the public schools (elementary, junior high school and vocational), total is 384,269. From 44, 979, of existing madrasah, 3,881 of them are state schools and 41,098 are private. Based on this status, details of the number of madrasahs MI, MTs and MA are: 1,071 consisted of 1,686 state schools and 21,385 are private. For MTs are 15,224 which consists of 437 state schools and 13,807 are private and for madrasah Aliyah (MA) amounted to 6,664 madrasah consists of 758 state schools and 5,906 are private. This figure does not include diniyah and pesantren. Of 44,979 the total number of madrasahs MI, MTs and MA is only 8.63% which is a state school

remaining 91.37% is private madrasah. Seeing the condition of the institutional status of madrasah can certainly be concluded that the overall quality of madrasah is still low.

However, the madrasah for the Indonesian people still has an appeal that is quite large. It is evidenced by the continued increase of new students coming into the madrasah from year to year with an average of increasing about 4.3%, so that based on the data CIDIES, in 2012 the estimated number of students reached 7.5 million from 77 million population school age in Indonesia. The problem is, how to accelerate the quality improvement of 44,979 madrasah and 7.5 million students? Improving the quality of education equitably is essential for the issue of the existence of a nation with no distinguishing cultural identity community. Dropping a society of a nation in general proved to be a stumbling block and a source of problems for the nation's journey itself. For that reason, we need to follow the example of countries such as Singapore are working hard to increase the quality of madrasah and Malay education institutions to align their educational institutions in general through the Joint Madrasah System (JMS).

Islamic education reform also occurred in the United States that changed the paradigm of superior and graduates should be able to answer the job market. To accelerate efforts to improve the quality of madrasah was done in the land of Uncle Sam through creative negotiation between Federal and local governments to establish Islamic Educational community that builds creativity and work skills at madrasah students [2]

Conditions assisted community of madrasah graduate has contributed to employment than professional workers and academic. It is a big challenge for madrasah. The Human Development Index for Indonesia, run from 121.2 million labor force, only 114 million were absorbed by expanding sectors. It shows

about 7.2 million unemployment or reaches 5.92 percent. Of these, approximately 6.8 million are graduates of secondary schools (6 madrasahs) [3]. It is estimated that in 2014 will contribute 3900 of unemployed graduate in the madrasah aliyah level in West Sumatera [4]

This condition then underlying the College of Sheikh Burhanuddin Pariaman (STIT-SB Pariaman) initiated The Work Oriented Education Program with Joint Madrasah Community in an effort to build the oriented education to the labor market in Padang and Pariaman with a pilot project at MAN Padusunan Pariaman and MAS Darul Ulum of Padang City targeted equip them by life skills education to assist the government programs for reducing the number of unemployed graduates of madrasah in the province of West Sumatra. The program is an accelerated program that was initiated by STIT Sheikh Burhanuddin Pariaman in cooperates with the Local Ministry of Religion Affair in Pariaman. The program is implemented by the Institute of STIT Sheikh Burhanuddin Pariaman involve various elements of stakeholders including the Local Government Pariaman, Local Government of Padang, Ministry of Religious Affairs of Pariaman, Academics STIT SB Pariaman, Principals, Teachers and Board of MAN Padusunan Pariaman and MAS Darul Ulum of Padang City as well as practitioners and Creative Economy Industry Employers in West Sumatra.

This program is a multiyear program with the implementation period for the biennial from 2014 until 2016. Funding of program derived from the Islamic Religious Higher Education from Ministry of Religious Affairs in 2014 and the continuation program was funded by local stakeholders in this regard STIT Sheikh Burhanuddin Pariaman in cooperate with local government of Pariaman and Padang city. Evaluate the success of the program was done using logic evaluation models.

A logic model is the model most often used by social service agencies [5,6]. It is usually designed as a representation that helps regulate the development, implementation, and evaluation. When used as an assessment tool, logic models focus on the essential elements of the program, which helps in identifying evaluation questions that should be asked [7]. Evaluation logic models can also serve to identify the causal relationship between program activities and outcomes [6]

Reasons for using evaluation Logic models are selected for this evaluation allows troubleshoot the appointment of educated unemployment in Pariaman through a program of work-oriented education that is collaborative involving STIT Sheikh Burhanuddin Pariaman and two Madrasah namely MAS Darul Ulum Padang

and MAN Padusunan Pariaman incorporated in the Joint Madrasah Community. In addition to the reasons for selecting the evaluation logic model for this program First, an evaluation logic model has an established track record to manage and measure the performance of the program. Second, logic models are used to determine the underlying reason for the organization's strategy change and serve as a basis for program planning and evaluation. Third, Logic is suitable for projects involving cooperation between organizations in achieving the effect of the program. Fourth, Evaluation of logic models has measurable indicators towards the achievement of program objectives.

II. METHOD

The method of this research is the evaluation of logic models use a mixed method approach [8] namely a mixture of qualitative and quantitative approaches. It is an appropriate approach because this research aims to solve the problems and gain deeper meaning of the grounds both concerning the inputs program, actions, outputs and influence of the programs as well as long-term targets of the program in the MAS Darul Ulum Padang City and MAN Padusunan Pariaman. Qualitative data analysis including, data display, data verification and conclusion and quantitative data analysis can be measured by using independent t-test with SPSS program.

III. RESULT And DISCUSSION

C. Evaluation Program

Output of Public Speaking Training

Through computer calculations by using SPSS version 17.0 is known that score participants of Public Speaking training is equal to 80.96; mode is 96; the middle score (median) of 76.00; and a standard deviation of 11.17. Based on the statistical data can be presented categories propensity participants score of Public Speaking skill can be seen in Table 1 below.

Table 1. Summary of Score Public Speaking Ability
Of Volunteer in STIT Syekh Burhanuddin
Pariaman

No.	Category	Interval	Frequency	(%)
1	Low	<60	0	0.0
2	Good	60-80	6	62.5
3	Very Good	> 80	3	37.5
Amount			8	100

Based on Table 1 above, then score the participant ability of calligraphy in STIT Seykh Burhanuddin Training is divided into three intervals, ie low, good, and excellent. None of the participants who received low scores, the majority get a good score with a value above 60 and as

many as 3 or 62. get very good score for the good category.

Output 6 Calligraphy Training

Through calculations by using SPSS Program is known that the average score (mean) of 6.97; mode at 96.7; the middle score (median) of 85.00; and a standard deviation of 10.58. Based on the statistical data can be presented categories propensity participants score of Public Speaking skill can be seen in Table 2 below.

Table 2. Summary Score of Participant Skill in the Calligraphy Training at STIT Syekh Burhanuddin Pariaman

No.	Category	Interval	Frequency	(%)
1	Low	<60	0	0.0
2	Good	60-80	2	28.6
3	Very Good	> 80	5	71.4
	Amount		7	100

Based on Table 2 above, then ability score 6 calligraphy trainee in STIT Syekh Burhanuddin Pariaman is divided into three intervals, ie low, good, and excellent. None of the participants who received low scores, the majority scored very well with a value above 80 as many as 5 people or 71.4% and 28.6% who get good grades. .

Comparison of Public Speaking Training Output 6 Madrasah Students

The results of t-test performed showed the student's ability in public speaking after following the Program is significantly different with before as seen on tabel.3 below.

Table 3 Hypothesis Independent t Test

Data	N	min	t-	Sig	df	Information
			count			
After	4	3.91	13	003	82	0.040>
	2		334	0		0.05
Before	4	3.4				Significant
	2	7				

Results of SPSS show the significance level of $0.000 < 0.05$, It means that there is a significant difference of Students' Public Speaking Skills before and after following the program at MAS Darul Ulum Padang City. It means the program has proven effective can improve student life skills which help them enable to find a job after finishing their school.

Comparison Students Calligraphy Skill Before and After Training

Having ascertained through normality test the data, there are differences in student calligraphy skills before and after following the training. The results of independent t-test showed the difference score of the student calligraphy skills before and

after attending in the training program of work oriented education at MAN Padusunan Pariaman as shown in the table below:

Table 4 Hypothesis Independent t Test

Data	N	min	t-hit	Sig	df	Information
student	20	16:	718	001	38	0.040>
s		57	6	3		0.05
Progra						Significant
m						
Student	20	16:				
s Non		42				
Progra						
m						

Results of SPSS show the significance level of $0.040 < 0.05$, It means that there is a significant difference of Students' Calligraphy Skills before and after following the program at MAN Padusunan Pariaman. It means the program is proven effective can improve student life skills which help them enable to find a job in sector of calligraphy industry after finishing their school.

IV. DISCUSSION

Implementation of the Work Oriented Education program in order to enhance madrasah students' life skills through training calligraphy and public speaking cross madrasah in joint madrasah community in Pariaman initiated by STIT Sheikh Burhanuddin Pariaman. This program insist madrasa students after graduating get ready-made and ready to work and simultaneously reduce the employment rate of Madrasah graduates in west Sumatera by forming The Joint Mdrasah community along MAS Darul Ulum Padang and MAN Padusunan Pariaman in 2015 as a pilot project funded by the Directorate General of Islamic Higher Education.

Madrasah Aliyah graduate should also be prepared to change themselves with *we serve the real world*, that is what is issued by the institution can be served by the world of work, and vice versa. In line with the change from *supply driven* to *demand driven*, on the model of teaching general subjects to a competency-based program, is necessary to the flexibility that allows for the implementation of the industrial working practices, and the implementation of the principle of *multi-entry multi-exit*.

This principle allows the madrasa students who already have a number of units of certain abilities (for program teaching competency-based), obtain employment opportunities in the world, the students will allow more skilled after graduation, enable to accept in the industrial world or even they can open their own business into independent entrepreneur with the skills that they had obtained from the program of work oriented education

program, then it is supply-driven to demand-driven that encourages academics of STIT Syekh Burhanuddin Pariaman build madrasah community to provide the subject matter of life skills needed in the industries such as public speaking to journalism and broadcasting industry and the art of calligraphy in the digital printing industry.

The main purpose of this activity is to provide volunteers to be placed in Madrasah Aliyah incorporated in the Joint Madrasah Community as assistance for running the program of Public Speaking Training and calligraphy that can deliver madrasah graduates to get a job in the journalism and broadcasting industry. The use of logic models become tools that help carry out the process, the evaluation focuses on the utilization of work-oriented education program that needs to be given to the Madrasah students in order to have a good life skills after graduating and ready to compete in the world of work. Logic models proved to be a useful tool for highlighting the connections for the purpose of program activities and results of next year's projection.

The evaluation process of logic models facilitates the analysis of the impact on the program. By comparing the madrasa students who take the work-oriented education program to students who do not follow the program can be measured significance. Patton (2008) describes the "use a different analysis to measure the impact of the program is not free from evaluation of work [5]

Transparency models and the willingness of teachers and students to share experiences about the program provides an opportunity to perform their reflective and evaluate program progress to establish a sustainable program on the basis of program benefits which is felt by students. The students are also aware of the changes that are made throughout the year that reflects their response to the evaluation. It is a testament to them that they are valued opinions and feedback and again give them a model of what is expected of them, a teacher who provides life skills education for their future.

Evaluation itself is a catalyst for learning activities. By using a more systematic evaluation, monitoring and record the activities of the program from time to time to track changes in the results on the program; change and the perceived benefits of students in work-oriented education program to increase their skills. Subject of students in the program to improve students' life skills necessary. It can be done by using logic models for evaluation this the program [9]

The model curriculum developed in the Program of Work Oriented Education for extracurricular learning programs at the school are

Public Speaking training and Calligraphy with local curriculum as sustainable learning. The purpose of building the joint madrasah communities are to:

Equip students to get Public Speaking Skill and calligraphy through the local curriculum or extra-curricular activities at school

Developing students' discipline

Creating a good character building

Making it easier for students to get a job.

Creating graduates with high skill for get ready to work.

Improving and creating excellence, as well as provisions to adapt on the development of science and technology.

Teaching by recognizing expertise gained from anywhere and in any way the competences acquired (*Recognition of Prior Learning*)

Empirical fact of these activities proving that their training can build work experience for students and make them better so that they are able to form the ability to do any work with the competence of good work, but engineering education formal currently not recognize the competence of an individual derived from work experience, and only acknowledging what students obtained from the process learned to teach in schools.

Recognition of Prior Learning able to provide capabilities and respect for the competencies possessed by someone. This system will motivate a lot of people who already have a certain competence, such as work experience, training and business experience to gain recognition as a provision for continuing education and training.

For the presence of the Joint Madrasah Community in Pariaman play this role to provide opportunities as possible to the students of Madrasah Aliyah in Pariaman and Padang to get a model of this kind of education through training to answer the challenges of industrial world. The program has been able to provide training programs of Public Speaking and Writing Art Calligraphy, due to lack of funding. This program just involve two Madrasah namely MAS Darul Ulum Padang and MAN Padusunan Pariaman, for the next year the program continued with outreach Private Madrasah Aliyah and others in West Sumatera with a continuous work projects each year. With the program of Joint Madrasah Community has been shown to unlock insights and opportunities for madrasa students who had already had the skills that are useful to the industry that need to be sharpened through this program by building models of learning and training that are supply-driven to demand-driven through the local curriculum.

After doing the training event of Public Speaking on the program of Joint Madrasah Community at MAS Darul Ulum Padang, the

participants showed an average increase in value of 49.75 becomes 7:00. Measured from indicator score of mass communication skills through training of Public Speaking enable the skill of students' public speaking increased by 82.5%.

Likewise with the calligraphy training in MAN Padusunan Pariaman showed an average increase in value of 49.75 becomes 7:00. Through training of Public Speaking enable the skill of students' public speaking increased by 90.0%. The implication of logic model evaluation report is possible to determine the continuation of the program or not. From the result can be concluded that the program should be continued.

IV. CONCLUSION

Work Oriented Education Program through Joint Madrasah Community initiated by STIT Syekh Burhanuddin Pariaman to revive local content of learning calligraphy and public speaking as life skills for madrasah students to prepare graduates ready to work in the calligraphy industrial sector and journalism. This program succeeded in increasing the students' public speaking skills at MAS Darul Ulum Padang City with an increase of students' Public Speaking ability in the good category and absorbed 64.71% in the line of journalism and broadcasting sectors. In addition, this program succeeded in increasing student calligraphy skills at Madrasah Aliyah Negeri Padusunan Pariaman with absorption of labor achievements of graduates reached 70 percent in the sector of digital printing work and calligraphy industry.

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Organizational Culture in Leading and Achieving Islamic Educational Institutions (Efforts to Improve the Quality of Islamic Education Institutions Comprehensively)

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Abstract—Effective organizational culture in islamic school can move all personnel in islamic school to improve morale and the quality of learning that has implications for the quality of education. Effective organizational culture will have a positive impact on the general performance of the institution, because the organizational culture will direct the behavior of employees and organizational management. Organizational culture that well maintained, is capable of displaying the behavior of faith, piety, creative, and innovative. The benefits can derived from such cultures are able to guarantee the work with better quality, open network communication, openness, togetherness, mutual cooperation, kinship, find errors and fix quickly, adjusting to developments outside.

Key Word: *Organizational Culture, Featured, Achieving*

I. INTRODUCTION

Madrasa as an organization has its own culture that is formed and influenced by the values, perceptions, habits, educational policies and behavior of the people in it. Madrasas have special characteristics in accordance with the core business that is run, namely learning. School culture (madrasa) should show capabilities that are in accordance with the demands of learning, namely to develop students in accordance with humanitarian principles. Therefore it is very precisely what Deal and Peterson said that:^[1] —*An atmosphere or environment that nutures the motivation to learn can be cultivated in the home, in the classroom, or at a broader level, throughout an entire school*¶.

Effective culture of madrasa (school culture) is the values, beliefs, and actions as a result of mutual agreement that gave birth to the commitment of all personnel to implement it consequently and consistently. A strong and

conducive madrasa culture will increase teacher morale and teacher achievement motivation in the success of learning. Positive school organizational culture can also influence the implementation of high-quality education and the formation of positive attitudes and morals for all pesonil in educational institutions. This condition is very supportive of high learning achievement.[2] Para pakar administrasi dan manajemen pendidikan sejak dekade 1980-an secara tegas meletakkan tanggung jawab kepala madrasah sebagai pencipta budaya madrasah yang kondusif dan ciri madrasah yang efektif.[3] DeRoche[4] asserted that the principal has the main responsibility in structuring the organizational culture of the school. This shows that principals play a very decisive role in creating success in schools / madrasas.

The principal's leadership style has a strong influence on organizational culture, organizational climate, morale, achievement motivation and teacher performance. Likert's research results explain that leadership style is the main factor that determines organizational success.[5] Soetopo research's[6] concluded that organizational climate is influenced by leadership style and organizational culture. Leadership style influences the organizational climate as long as it is accompanied by a strong culture.

Creemers dan Reynolds[7] revealed the results of his research that: leadership has a role in creating organizational reality and forming organizational culture. Organizational productivity including the performance of teachers will be realized if supported by a strong organizational culture and a conducive organizational climate. This shows that the leadership style applied by the principal will influence the formation of the culture and climate of the organization in the school. As

well DeRoche[8] explained that organizational culture is one of the variables that determine the success of the work.

Gordon research results[9], Creemers and Reynolds[10] shows that a strong organizational culture makes members more satisfied, motivated and have a great commitment to the organization. Likewise Sergiovanni^[11] found that a strong culture would increase commitment, enthusiasm, and member loyalty towards the organization. From the results of these studies it can be concluded that a strong and positive culture in schools or madrasas will be able to improve teacher performance because teachers have strong motivation, job satisfaction, and high commitment to the success of learning.

Organizational culture also influences motivation, performance, and job satisfaction[12]. Motivation will provide energy for teachers to be more enthusiastic in carrying out their professional duties in the madrasa. Having the motivation and high morale will produce work productivity in accordance with what is expected.

A high work spirit is a manifestation of a pleasant working atmosphere, so that it can encourage maximum participation of educators in increasing learning effectiveness. In this case, Nawawi[13] explained that organizational productivity will be high, if the productivity of each personnel is high, personnel productivity is highly dependent on morale, while productivity greatly influences the achievement of organizational goals, so high morale will also determine the level of achievement of organizational goals. The contribution of teacher work enthusiasm to teacher performance which has implications for student learning achievement is a phenomenon that does not need to be doubted.[14] It can be understood logically that with high teaching enthusiasm, it will cause a great effort to succeed, and with great effort it can also produce high achievements. The statement is in line with the results of research that show that the teacher's teaching spirit has a significant relationship with student learning achievement. Teachers' enthusiasm has contributed 37.53% to students' learning achievement.[15] So, it can be said that to form a superior and outstanding madrasah aliyah an organizational culture in the madrasa is needed.

II. METHOD

Looking at the implicit meanings of the titles and problems studied, this study includes the type of field research with a qualitative approach, namely research that does not quantify data quantitatively.[16] with a naturalistic or interpretive paradigm. Data is collected from natural settings as a direct data source. The naturalistic paradigm is used because it allows researchers to find meaning from each phenomenon so that they are expected to find local wisdom, traditional wisdom, traditional wisdom, moral value (emic, ethics, and noetic) and theories of the subject under study. The meaning of data in depth and being able to develop theories can only be done if facts are obtained that are quite detailed and can be synchronized with existing theories.

The design of this study uses a case study design, which seeks to describe a particular background, object or event in depth and detail. Case study is research that aims to intensively study certain social units, which include individuals, groups, institutions and communities.[17] This research will produce detailed information that may not be available in other types of research. The location of this study is MAN 2 Tulungagung. The choice of MAN 2 Tulungagung was because MAN 2 Tulungagung carried out a comprehensive school culture development activity.

Noting the type of research, the primary data sources in this study are the words and actions of the principal, teachers, deputy principals and also students of MAN 2 Tulungagung. The selection of this data source is based on the assumption that they are directly involved in the activities of the economic education process. The secondary data sources are written documents or materials or library materials, namely books, articles, scientific journals, and newspapers that discuss issues that are relevant to this research. Other secondary data sources are documentation in the form of photos, such as photos of activities, all activities and facilities and infrastructure that can provide a real picture on the aspects examined, such as classrooms, halaqah rooms, deliberation rooms, mosques, bedrooms, and others as a place for the activity of the MAN 2 Tulungagung.

The research data will be collected first, through observation techniques, namely visiting MAN 2 Tulungagung to pay attention or observe the activities held and observe the surrounding environment. Second, collected through interview techniques, namely by way of direct communication and conducting question and answer to the head of the madrasa, teachers and students to deepen the information obtained from other data collection techniques. Third, research data will be collected through documentation, both

official MAN 2 Tulungagung documents such as the rules and history of its development, as well as documents from newspapers, magazines or websites about MAN 2 Tulungagung.

The data analysis technique used is descriptive technique by taking three steps that occur simultaneously according to Miles and Huberman, namely: 1) data reduction (data reduction), namely classifying, directing, removing unnecessary and organizing data; 2) presentation of data (data displays), namely: finding patterns of relationships that are meaningful and provide the possibility of drawing conclusions; and 3) conclusion / verification (conclusion drawing / verification).[18]

Checking the validity of the data (trustworthiness) in this study uses the opinion of Lincoln and Guba that the implementation of checking the validity of the data is based on four criteria namely credibility, transferability, dependability and confirmability.[19]

III. RESULT and DISCUSSION

A distinctive feature of organizational culture in MAN 2 Tulungagung is a school with a characteristic of Islam. Religious slogans that are quite beautiful are applied, "today must be better than yesterday". The second we step in accordance with the Shari'a of religion in the form of the development of Islamic characteristics. So the character of the organizational culture at MAN 2 Tulungagung is a step in accordance with religious law.

The basic value used to build the organizational culture at MAN 2 Tulungagung is that today is better than yesterday and departs from the philosophy then translated into the program of activities and values of worship, that humans are obliged to worship God. Building an organizational culture requires a long time because the process of internalizing existing value systems also requires a considerable amount of time. Only after a few years did the results come. In building organizational culture there are obstacles, and most come from internal parties. These obstacles can be overcome by effective communication.

Discussion

Concept of Organizational Culture

Organizational culture refers to a system of shared meaning by members of the organization in the form of values, norms, beliefs (beliefs), traditions and unique ways of thinking adopted so as to distinguish the organization from other

organizations.[20] In this case Sonhadji^[21] also explained that, organizational culture is the process of socializing members of the organization to develop perceptions, values, and beliefs in the organization. The system of shared meaning in the form of values, beliefs, and habits interacts with the formal structure of the organization so as to produce norms of behavior.[22]

Siswohartono, as quoted by Ekosusilo, said that organizational culture is also called the internal characteristics of organizations that can distinguish them from other organizations.[23] In an organization, besides there are hard things, there are also soft things. Aspects including hard include: organizational structure, rules, policies, technology, and finance. These things can be measured, quantified and controlled relatively easily. While the soft things are related to the human side of organization (human aspects / aspects of the organization), including values, beliefs, culture, and behavioral norms. Hard dimensions, often referred to as the classic elements of an organization. Although classical elements, such as structural hierarchy, formalization, and rationalization are important things, they cannot fully explain organizational behavior. Organizational culture is a thing that is soft in an organization, which is related to the human side of organizational, including values, beliefs, and norms of behavior.

Maginson[24] provide an explanation of organizational culture as follows: "Organizational culture may be defined as the set of values, beliefs, and behavioral partners that form the core identity of an organization". The definition provides an explanation that organizational culture is a set of values, beliefs, behaviors that indicate the identity of an organization. This explanation was strengthened by Cushway and Lodge[25] which explains that organizational culture is a set of values, beliefs and behavioral patterns that are formed and developed into a person's particular identity within an organization.

Greenberg and Aaron[26] explain organizational culture as a cognitive framework that contains the attitudes, values, norms, and expectations held by members of the organization. Lodge and Anthony[27] also explained that organizational culture is a combination of values, beliefs, assumptions, understandings, and expectations that are believed by members of the organization or group and serve as guidelines for behavior and problem solving faced. Likewise Creemers and Reynolds[28] provide an understanding that organizational culture is the whole norms, values, beliefs, and assumptions that are owned by members in the organization.

Based on the definitions and views of the experts mentioned above it can be explained that organizational culture arises and is in a work environment that can shape and influence the behavior of all members of the organization at work. Organizational culture is manifested in philosophy, ideology, values, assumptions, beliefs and attitudes and norms with members of the organization in looking at various realities, especially related to internal and external problems in the organization. This organizational culture has functions: (1) giving a sense of identity to the members of the organization, (2) generating commitment to the organization's mission, (3) guiding and shaping standards of behavior of organizational members, and (4) increasing social system stability.[29]

The author concludes that organizational culture is a system of values, norms, or rules, philosophy, beliefs and attitudes (behaviors) that are shared with members that influence work patterns and organizational management patterns.

In the context of educational institutions, organizational culture is interpreted as follows: First, the value system that is shared beliefs and goals shared by potential members of the organization shapes their behavior and lasts for a long time even though member changes have occurred. In educational institutions, for example this culture is in the form of a learning environment, enthusiasm for learning, love for cleanliness, and other noble values.

Second, the norm of behavior is a way of behaving that is commonly used in a long-lasting organization because all its members inherit the behavior to new members. In educational institutions, this behavior includes enthusiasm to always be active in learning, always keep clean, speak polite and various other noble behaviors.[30]

Kotter and Heskett, as quoted by Ekosusilo, identify that organizational culture emerges in two levels, namely levels that are not visible and visible. Unseen levels in the form of values shared by group members tend to persist even though the members have changed. These values are very difficult to change and members are often unaware because of the many values. Levels that appear in the form of behavior patterns and employee style of an organization, where people who just entered are encouraged to follow it.[31]

School organizational culture can be classified into two, namely tangible and intangible. The invisible aspects of a culture include values, beliefs, and ideologies related to the question "What should be done in this school?" The answer is manifested in tangible matters both in terms of sentences (oral or written), behavior displayed, buildings, facilities and objects used.[32]

Culture in life is a social bond that helps unite the organization by providing the right standards for what employees and teachers must say and do. Finally culture can function as a mechanism for making meaning and control that guides and shapes the attitudes and behavior of existing madrasa citizens. The last function is what really attracts our attention. 7

A distinctive feature of organizational culture in MAN 2 Tulungagung is a school with a characteristic of Islam. Religious slogans that are quite beautiful are applied, "today must be better than yesterday". The second we step in accordance with the Shari'a of religion in the form of the development of Islamic characteristics. So the character of the organizational culture at MAN 2 Tulungagung is a step in accordance with religious law.

Madrassa as an educational institution is an educational organization that has several elements contained in the education system, namely: objectives, personnel, facilities, and management activities. If viewed from the elements of the organizational system, madrasas will be more qualified if they have clear objectives, good personnel, adequate facilities, a conducive climate and organizational culture or effective management activities. This is because the culture and climate of the organization will have a strong influence on the performance of individuals and organizations beyond other factors that have been talked about so far, such as systems, structures, strategies, tools, and so on.[33]

Organizational culture refers to behavioral norms, assumptions, and beliefs (beliefs) of an organization, while the organizational climate refers to the perceptions of people in organizations that reflect norms, assumptions and beliefs. In this case there are seven characteristics of organizational culture, namely: (1) respecting the initiation and ability of employees to take risks, (2) having attention to small things (attention to detail), (3) results oriented, (4) oriented to people, oriented towards team goals, (6) aggressive, (7) having stability in the sense of emphasizing the need to pay attention to the status quo rather than making organizational innovations.[34]

Organizational culture consists of various elements or elements that cannot all be easily observed. In this case, Kotter and Heskett[35] explain the results of his research that organizational culture has a strong impact on performance or work performance in each organization. Organizational culture is a more important factor in determining the success or failure of an organization.

Organizational culture also serves to establish boundaries that determine differences between one organization and another

organization.[36] Organizational culture can be an identity for members of an organization.[37] Organizational culture raises broad commitment to the interests of the organization rather than individual interests, consolidating the organization's social system, mechanism of meaning making, control that guides and shapes the attitudes and behavior of organizational members.[38]

Organizational culture emerges in four levels, namely: artifacts, perspectives, values, and assumptions as explained by Lundberg as follows:

Artifacts, refer to the tangible aspects of culture shared by members of an organization and include language, stories, myths, ritual, ceremonies, and visible product which are considered to have symbolic value.

Perspectives, the socially shared rules and norms which provide solutions to common problems encountered by organizational members and guidelines which help members to define and interpret the situations they face and which prescribe the bounds acceptable behavior. **Values**, these provide the

evaluational basis that organization's members use for judging situations, acts, objects, and people. Values represent important goals, ideals, standards, as well as taboos of an organization and are often embodied in statements of the organization's philosophy or mission. **Assumption**, these constitute the tacit beliefs that members hold about themselves and others which govern their relationship and define for them the nature of their connection of which they are apart.[39]

From the quote it can be understood that organizational culture which has the easiest level to be observed is formed in stories or stories, myths, rituals, ceremonies, and products that are a symbol of value. The next level is the rules and norms that are used as references in solving problems faced by the organization and serve as guidelines for members' attitudes and behavior. The third level is closely related to the value that is used as a reference in making decisions and actions of members of the organization and reflects the goals, ideals, and standards of assessment of everything. Next is the belief or assumption which is the view of the members of the organization relating to himself and others who direct the relationship between himself and the organization where he is located.

Establishment and Management of Organizational Culture in Improving the Quality of Education in Featured and Achieving Madrasah Aliyah

At the beginning of its appearance, organizational culture refers to the vision of its founder which is influenced by internal ideals and external demands that exist within the scope of the organization. Therefore, in reviewing the process of formation of organizational culture can not be separated from the group process. In addition, the process of the emergence of organizational culture takes a long time, and generally involves a figure (top manager) who introduces his vision and mission to his staff, then becomes a reference by all group members.

The formation and management of organizational culture is essential in developing educational institutions, because culture will affect the performance and effectiveness of educational institutions. Thus, a strong and conducive culture must be formed and developed by the head of the madrasa and staff and teachers in order to achieve the vision and mission of the madrasah optimally which is realized in improving the quality of education.

Robbins[40] explain the formation of organizational culture as follows:

—The original culture is derived from the founder's philosophy. This, in turn, strongly influences the criteria used in hiring. The actions of the current top management set the general climate of what is acceptable behavior and what is not. How employees are to be socialized will depend on both the degree of success achieved in matching new employee's values to those of the organization's in the selection process and on top management's preference for socialization methods. Based on the quotation above, it can be

explained that organizational culture is certain to depart from the philosophy that is owned by the founder of the organization, then the organizational culture is used as a criterion in implementing actuating functions in the organizational system. The actions of the top leadership in determining the general climate of acceptable behavior and not. This is very important in an effort to create and develop an organizational culture that can help improve the quality of education. A strong and dynamic organizational culture must be developed by the active role of the top leadership in socializing the values that exist in the organization. The leadership ability to influence and mobilize all members of the organization to be able to carry out their duties as well as possible.

Madrasah organizational culture is directed at increasing the effectiveness of staff and teacher performance in an effort to improve the quality of education. Therefore, productive habits in carrying out learning tasks must always be carried out by the teacher. The head of the madrasa as an education leader must be able to move the entire academic community in the school so that it can improve performance, and also be able to provide managerial control for the effectiveness of the madrasa organization.

In general, culture can be formed prescriptively and can also be programmed as a learning process or a solution to a problem. First, the formation of organizational culture in the madrasa through obedience, imitation, delivery, and structuring a scenario (tradition, orders) from above or from outside the cultural actors concerned.

Second is programmed culture formation through learning process. This pattern starts from within the cultural actors and sounds of truth, conviction, basic or basic assumptions that are held firmly as establishment, and actualized into reality through attitudes and behavior. The truth is obtained through experience or study of trial and error and the proof is the demonstration of its establishment. That is why this pattern of actualization is called a demonstration pattern.^[41]

Cultural management is not only directed at the creation of a productive culture, but also to pay attention and try to engineer and change negative cultures that become counterproductive in the effort to achieve organizational effectiveness. The effort to change culture is a shared responsibility under the control of the organization's leadership. In changing negative culture, a leader must understand that organizational culture (a system of shared values, trust, and norms) is a product of the interaction between the selection process, managerial functions, organizational behavior, structure and broader environmental processes as the place of organization, and the process of transfer. The existing culture of each organization reflects the process of planning, organizing, directing, and controlling activities.

Changing culture is not an easy job because culture is related to self-reinforcing, namely by setting planning, organizing, implementing, controlling, and evaluating guided by new values desired. Changes and development of school organizational culture must be directed at organizational productivity or improving the quality of education.

The change and development of an effective school organizational culture is something very important to be done by the principal as an education leader. The development

of school organizational culture must pay attention to managerial functions (planning, organizing, directing, and controlling) by paying attention to internal and external factors that exist within the school institution. The principal is required to be able to plan changes and development of school culture based on the vision and mission of the school, able to organize all activities that have been planned systematically, able to move and control the development of school culture based on improving the quality of education.

IV. CONCLUSION

Positive organizational culture of madrasas can influence the implementation of high quality education and the formation of positive attitudes and morals for all persons in Islamic education institutions. This condition is very supportive of high learning achievement. Educational administration and management experts since the 1980s have explicitly laid the responsibility of the madrasa head as the creator of a conducive culture of madrasas and the characteristics of effective madrasas. This shows that the headmaster of the madrasah has the main responsibility in order to organize the organizational culture of the madrasa.

Strong and positive cultures in schools or madrasas will be able to improve teacher performance, because teachers have strong motivation, job satisfaction, and high commitment to the success of learning. Therefore, a strong organizational culture of madrasas needs to be established and developed in order to increase the effectiveness of madrasa organizations to improve the quality of education. The formation and development of the madrasa's organizational culture is very dependent on the leadership behavior applied by the madrasa head.

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Process, Factor and Acquisition Of Arabic As L2 For Non-Native Child

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Abstract—In this writing has a background about the unique phenomenon that is occurred on acquiring Arabic as L2 toward the children who actually are not the native of Arabs. Focus of this discussion is placed on Arabic acquisition as L2 for a child. In its learning, using game system as teaching method is very suitable used. So that the game is being more interesting then it can be varied in form of group, pair, or individual learning. Arabic actually has four skills and each skill has its own method in teaching. They are learning speaking skill through *Muhadatsah*, Listening skills through contrastive pairs or minimal pairs, reading skills through *al-Muwassah* and writing skills can through *al-insya'at-tahriry*.

Keywords : L2 acquisition, process, factor, Arabic acquisition

I. INTRODUCTION

Basically in community shows any interaction among human, to give and ask something. For instance, when a child asks food for eating to his mother. The existence of language makes us being a social creature (or social being).[1] According to Madayani *"people use language to survive or to be acceptable, safe, intelligible, comfortable, even, more intimate in their social interaction"*.[2]

Process of Second Language Acquisition, Chaer and Agustina (Djamarah, 2011) divide the acquisition of the child language into two, mother tongue (L1) and (L2). The path of its activities can through either informal and formal education.[3] Tarigan calls this *informal education* as a natural language teaching and *formal education* as a scientific language teaching. After mastering the L1, it is very possible if an individual learns a L2.[4] By the passage of time and as needed later an individual can obtain a foreign language or bilingual or even he is able to master many languages (multilingual). Language acquisition will continue to develop and grow as the child age.

In this case, what belong to be the main attraction of the discussion is —how a child can acquire or obtain the foreign language and master it, also what are the factors that support the L2 learning of a child who actually is not a native of the language area or who is called by

a non-native speaker". According to Yule, *some children grow up in a social environment where more than one language is used and are able to acquire L2 in circumstances similar to those of L1 acquisition*.[6]

From the explanation above the writer is interested to study about the process and factors that can affect non-native child becomes bilingual speaker. This writing aims to illustrate the process of being bilingual speakers from non-native foreign language backgrounds, especially in focusing on how the learning of Arabic as the L2 of a non-native child.

8 II. METHOD

This study uses the method approach library research. Library research is the method to get the data from related and relevant books based on the problem formulation (Hadi, 1981). This approach type in name of library research is contained a topic that load several arguments and or information from literature as the source.

RESULT

A. Definition of Language

Language has various definition based on regions where the language is used. Actually, the existence of language is a result of culture in an area.[7] According to Izzan, language functions to state or express the feelings, emotions, hopes, desires, ideals, and thoughts of a person. Beside, language is also a tool for understanding and appreciating the feelings, hopes, desires, and thoughts of others.[8]

Simply language is a means of communication to generate an interaction between fellow and within community. Since ancient human had learned the language, especially the family language that it is needed to communicate with people around him.[9] This family language is called as the L1, usually it is done by a mother toward her children. While the language obtained outside of L1 is called as L2. Subyakto argues that learning a language that is not L1 is mentioned as a *second/foreign language*.[10]

The process of language can be analyzed from two views, namely behaviorism

and cognitivism. Gusdi Sastra states that the view of behaviorism, is process of acquisition L1 which controlled from beyond of child (stimulus is provided from environment). The child is considered as a passive recipient. Beside, Behaviorists do not acknowledge the view that children are mastery of language rules structurally and they have the ability to abstract important features or characteristics of the language in their environment. Language development is seen as an actual ability to communicate through the S-R linking principle (Stimulus and Response).[11]

B. L2 Acquisition (L2)

Language acquisition can be meant that an individual lives with multiple languages. More than half the world's population is bilingual.[12] It is not something new thing if someone interact easily with various foreigners. Basically, each country has one official language to create interaction among them. Indonesian language for the State of Indonesia. Similarly, Indonesians who use the official language in their day life is Indonesian, but also learn a foreign languages such as Arab as their L2. Actually most of people use two languages as a means of communication.[13] It aims to bring an easy communication with various people all over the world.

L2 is obtained after obtaining the L1. Basically, a child who has born in this world is provided L1 by his family, however in its development as an individual who lives in modern era, needs further language to support his life effectively in interaction. In this phase, human is faced to the mastery of a L2 or foreign language.[14]

Regarding with term of L2 is now very closed term with "acquisition"[15], acquisition itself is from English word and George Yule explains that the acquisition is "gradual development of the ability in a first or L2 by using it naturally in communicative situations". Briefly, acquisition is a process of someone in acquire L2. So the acquisition of L2 commonly called as SLA (Second Language Acquisition). Meanwhile, According to Ellis, "L2 acquisition, can be defined as the way in which people learn something from their mother tongue, inside and outside of the classroom, and L2 Acquisition (SLA) as the study of this".[16] Tarigan explains that Indonesian as an official language or

national language for the people of Indonesia[17] and some Indonesian can speak foreign languages such as Arabic, English, Dutch, German, Japanese.[18] Therefore, Indonesia is example of bilingual people.[19] Encyclopedia Britanica that is cited in Tarigan, 1988, bilingual is "the mastery of two or more languages (bilingual) or diversity of bilingual is a special skill. Bilingual and diversity of languages are relative terms because the type and level of mastery of a person's language is different".[20] This shows that not all of people can master a variety of languages and it depends on their own ability and persistence.

C. Process of L2 Acquisition

Regarding with the process in SLA, Yukio adds that in process of acquisition L2, a learner acquires a language when he tries to learn the language itself.[21] Moreover, there needs to be a stimulus to help the child easily learn L2. This usually needs other parties who have first mastered the L2 that has been meant.

According to Subyakto and Nababan the acquisition of L2 or a L2 can be distinguished into two types, namely guided and (2) naturally.[22]

Guided L2 acquisition

The characteristic of acquiring L2 is that the material served (selection and sequence) depends on the criteria that is being specified by the teacher (as example, what is being called of "difficulty level" for the learner), and that the strategies used by the teacher also match with what is being considered as best suited for their students. The presentation of the materials and methods used can also be successful, as long as still provides learning conditions can give benefit for the learner so it does not impede the progress of L2 or L2 acquisition.

2. Naturally L2 Acquisition

Naturally L2 acquisition or spontaneity is acquisition of L2 that occurs within daily life communication; free from any teaching or guiding by the teacher. For instance is immigrant who works in abroad. However, living abroad where L2 is used is not guaranteed on the mastery of L2. The most important thing is the interaction that demands language communication and encourages language acquisition.[23]

D. Factor of L2 Acquisition

There are several supporting factors for the acquisition of L2, among others; the conceptual model of language learning, language talent and inter and intra-linguistic difficulties in language learning.[24] In addition, according to Kapoh (2010) factor that is very influential is environment. Purba states that environment is divided into two as follows;

Formal Environment

The formal environment is a formally and planned environment that includes guided and directed atmosphere by teacher to be able to master the systems or rules of language learned. The formal environment usually involves much direction either through teachers or guidebooks related to the language being studied.[25]

Informal Environment

The informal environment includes situations such as communicating at home together with family, communicating with friends or others. Communicating in the market place, at work, or anywhere and other situations that occur naturally.[26] These informal environmental factors are not contracted by any material rules as same principle as at schools.

Acquisition of Arabic through Language Game

Language learning consists of four skills among others; listening skill (*mahara 'al istima'*), speaking skill (*maharah al-kalam*), reading skill (*maharah al-qira'ah*), and writing skill (*maharah al-kitabah*).[27] These four skills are used to determine which type of strategy or language learning method is appropriate and effective to use.

Method is a science that learn about the way taken to achieve a goal with effective and efficient results.[28] So the method of learning Arabic is the way taken on how to present the materials and Arabic lessons to be easily accepted, absorbed and mastered by the students as well and fun.[29] The method meant can be done in form of —game. It is very appropriate and suitable for the children. Language game is a way of learning the language through playing the game.[30] Mujib and Rahmawati argue that the benefits of the resulting language game are as follow:

Cleared away —seriousness that impedes the learning process,
Eliminate the stress in the learning environment,
Invite other people to be fully involved,
Improve or increase the learning process,
Build self-creativity,
Achieving goals with unconsciousness,
Achieving the meaning of learning through experience, and
Focussing the students as learning subjects.

The language game can be done in the classroom in form of groups or in pairs. In teaching tools or media inserting any kinds of games that can be played by the students in groups, class or pair.[31] In this case Mujib and Rahmawati mentions about that;

Grouped Game

Language games can be performed in small groups. Usually four to six players in one group is enough.

Paired Game

The game in form of pairs is an effective form of playing to involve student role or participation.

Individual Game

Individual game is appropriate game for students to solve the problem. If the problem can not be solved, students can ask to the teacher for guidance and instructions.[32]

According to Izzan, acquisition of a L2 (Arabic) is focused on several skills, such as speaking, listening, reading and writing. a. Speaking skill,

This skill can be throughed *Muhadatsah* method. It is the method by presenting the Arabic lessons in form of conversation, in this conversation occur between teacher and student or between student and students, while adding and continuously enriching the vocabulary more and more.[33] According to Acep Hermawan in Ulin Nuha (2012) argues that the skill (*maharah al-kalam*) is the ability to express articulation of sounds or words to express thoughts of ideas, opinions, desires, or feelings to the speaking partner.[34]

b. Listening Skill,

Listening skill is skill that is focussed on the comprehensive activity about what is being stated or said by the speaker. *Maharah al-istima'* or listening skill is the ability of a person in digesting and understanding a word or sentence that

is stated by speaker or certain media.[35] While one method that is quite suitable used to practice listening skills can be done through hearing-listening exercises that use the contrast pairing technique of an almost identical word are commonly called *contrastive pairs*. [35]

c. Reading Skill,

Reading defines as process of communication between the reader and the writer through the text that writer has written.[37] The method can be done by using *Al-qir'ah al-Muwassa'ah* method. This method is usually used to read long texts. However, the difference is that children are free to choose the text with a preferred theme, to encourage children to be interested in understanding the contents of the text. According to Ulin Nuha al-Muwassa'ah in principle the students were given the freedom to choose a book or Arabic texts that liked and attracted his attention.[38]

d. Writing Skill

The last skill is a writing skill that has quite difficult level. Richard and Renandya state, *there is no doubt that writing is the most difficult skill for L2 (L2) learners to master. The difficult lies not only in generating ideas and organizing the ideas, but also in translating these ideas into readable text*. [39] The method used can through *al-insya 'at-tahriry*. [40] Izzan states that *Insya'* or *ta'bir* writing in Arabic, to reveal the content of hearts, thoughts and experiences that is owned of early learning. Through this lesson, it is expected that students can develop their creative and productive imagination so that their thinking becomes developed and not static.[41]

IV. CONCLUSION

Language is a very important tool to build an interaction between people with each other. The process of SLA can through, (1) guided and (2) naturally. Factors of SLA is divided into factors that come from formal and informal environment. The acquisition of SLA especially Arabic has methods in the form of games learning that are realized in the division of groups, pairs or individuals. Then for learning speaking skills through *Muhadatsah*., Listening skills through *contrastive pairs* or *minimals pairs*, reading skills through *al-Muwassa'ah* and writing skills can be through *al-insya 'at-tahriry*.

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Quality Improvement of Character Based Learning with the FDS System at Al-Azhaar Islamic Elementary School

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Abstract— This research aims to describe the implementation of improving character-based learning quality with a Full Day School (FDS) system. This model of education and learning with the FDS system is an alternative to implementing quality education. The learning process starts from 7:00 to 16:00. The curriculum is developed based on the national curriculum and a typical school curriculum that is integrated in shaping the character and competence of students. Learning systems are more emphasized in learning to know, learning to do, and learning to life to gather. Students are expected to be able to master the science, skills, and science of religion, and can memorize the Qur'an to 6 juz on the tahfidz program. To achieve these objectives a qualitative approach was used with a case study design. Data is collected by observation techniques, in-depth interviews, and documentation. The results of this study are: (1) The approach used in improving the quality of learning is school review, quality assurance, and quality control, (2) using active, creative, effective, and enjoyable learning in improving the quality of character-based learning, and (3) the techniques used by teachers in improving the quality of learning are: creating discipline, fostering the spirit of learning, developing creativity, utilizing learning resources, developing intelligence, and involving the community in learning students.

Keywords—Quality Improvement of character-Based Learning, System FDS

I. INTRODUCTION

The implementation of a quality learning process is a demand that must be fulfilled by the teacher in carrying out his duties and responsibilities as a professional educator. Teachers must be able to carry out the learning process interactively, inspiring, pleasing, challenging, and motivating students to actively participate, as well as providing sufficient space in generating ideas, creativity, and independence in accordance with the talents, interests, and physical and psychological development of participants student. This process standard is made in order to create high quality education and learning so that the existing education units in Indonesia have high

competitiveness at the regional, national, and even international level.[1]

Quality learning process is a very important issue, because it will directly come into contact with students. Based on the results of research, it was explained that the need to improve the quality of learning in schools was based on institutional policies and community participation. Good quality education can prepare students to gain knowledge and skills in order to succeed in the future.[2]

Improving the quality of character-based learning aims to improve the quality of educational processes and outcomes, which leads to the formation of complete, integrated and balanced character and noble character of students, in accordance with graduate competency standards in each education unit.[3] Character education in Indonesia is carried out in schools and strengthened by the implementation of the 2013 curriculum (K-

which emphasizes more on the formation of national competencies and character.[4] Likewise in Singapore character education is carried out in schools with a curriculum designed by the CCR (Center for Curriculum Redesign). The CCR offers a complete framework in four dimensions of education, namely: knowledge, skills, character, and metacognition. Knowledge must produce a better balance between traditional and modern subjects, and interdisciplinary. Skills are related to the use of knowledge and feedback. Character quality describes how a person is involved in social life and behaves in daily life. Metacognition encourages self-healing and learning processes, and builds other three dimensions.[5] Character education in Japan is closely related to the elements consisting of forms of citizenship education in schools that come from three areas of moral education, social studies, and special education.[6]

Elementary School as an educational organization has its own strategy in shaping the competence of students which is influenced by the values, perceptions, habits, educational policies and behavior of the people who are in it. Primary schools have special characteristics in accordance

with the core business that is carried out in the learning process. The formation of the character of learners is inseparable from the culture of the school/madrasah, the culture of the school/madrasah should show capabilities that are in accordance with the demands of learning, which can develop students in accordance with the humanitarian principles of national character values. For this reason, a strategy to improve the quality of learning is needed in the formation of the national character of students. This is also reinforced by Deal and Peterson[7] which explains that: "The atmosphere or environment that is the motivation for learning can be cultivated in the home, in the classroom, or at a broader level, throughout an entire school".

Learning environment factors also influence the formation of students' character as explained by the results of Wening's research[8] that environmental factors have a positive and significant influence on the character formation of students. This is also reinforced by Diyanti's research[9] which explains that the learning environment and active involvement of students in the learning process can influence the formation of students' good character. The results of this study emphasize the active learning process and student involvement in the entire learning process, students as non-recipient actors so that the learning process is not teacher-centered but must be centered on students with an active learning approach. The implementation of character education as a mandate from the national curriculum needs to be studied so that it can be implemented properly and be able to achieve the government's vision and mission in the implementation of character-based education in schools and madrasah. Based on the above, researchers are interested in examining the improvement of the quality of the nation's character-based learning with a full day school system.

II. METHOD

This study used a case study research design conducted at Al-Azhar Elementary School. The data collection uses techniques: (1) in-depth interviews (in-depth interviews), (2) participant observation (participant observation), (3) study of documents. The collected data is analyzed based on three activity lines, namely: (1) data reduction, is a form of analysis that sharpens, classifies, disposes unnecessary, and organizes data to obtain final conclusions and verification. Data reduction is carried out continuously throughout the study, (2) presenting data (display data), presenting data intended to find patterns that are meaningful and provide the possibility of drawing conclusions and

taking actions, (3) drawing conclusions or verification[10]

III. RESULT

Improving the quality of character-based learning held in elementary schools is a very important thing to be realized, because it is a foundation in forming the good character of students. The success of students in following the process of education and learning in primary schools will affect their success in subsequent education. In this case the US federal government also takes action by obliging to include the content of character education in schools[11]

The implementation of national character-based learning in SDI Al-Azhar Tulungagung was carried out based on policies made by the government and then developed based on the values held by schools without abandoning government policies. The values developed by the school are inseparable from the teachings found in Islam which become its inner control. Based on the exposure of the data obtained in this study, the research findings can be explained in the form of images as follows:

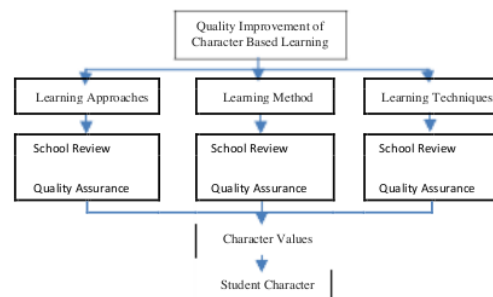


Figure 1 Implementation of Quality Enhancement of Character Based Learning at Al-Azhar Islamic Elementary School Tulungagung

Approach to implementing character-based learning quality improvement

Character-based education and learning aims to: condition children to have good life habits, (2) seek or deepen the concepts of subject matter that have been set by the government, (3) incorporate Islamic material in the field of study and as a separate field of study that must be mastered by children as a provision for life, (4) psychological, mental and moral development of children to obtain a balance between spiritual and physical needs in order to form a complete personality.

In order for this goal to be achieved, Al-Azhar Islamic Elementary School makes a policy to

empower all the potential that exists optimally in the learning process at school. In order for these expectations to be achieved well, there are several approaches used in improving the quality of learning. The approach intended is:

a. School Review

This approach is used in order to find out the effectiveness of the education and learning process held at Al-Azhaar Islamic Elementary School. School review is carried out in collaboration with parents and professional staff to be able to provide input on the entire learning process that has been carried out so that improvements can be made so that the quality of learning can be improved properly. School review is conducted to answer the following questions: (1) what is achieved in the learning process in accordance with the expectations of parents of students and students themselves? (2) what learning achievements have been achieved by students? (3) are there blocking factors in improving the quality of learning? (4) does the school have supporting factor in improving the quality of learning?

This school review is very important in order to get input and improvement in improving the quality of character-based learning at Al-Azhar Islamic Elementary School. This activity is carried out to make continuous improvements so that the goals can be achieved properly.

b. Quality Assurance

Quality assurance is an approach used by schools to improve the quality of education and learning. This approach is intended to ensure that the process of education and learning has taken place in accordance with the plan and can be carried out accordingly. This approach is used to detect deviations that occur in the process of education and learning at SD Islam Al-Azhaar. This approach emphasizes the monitoring process that is carried out continuously in the system built by the school. The quality assurance implementation is expected to produce the following information: (1) can provide feedback (feedback) in the process of improving the quality of character-based learning; (2) can provide assurance for parents of students that the learning process is carried out properly, (3) can provide assurance that the school can provide the best learning services for students.

This approach is carried out to emphasize the quality of the learning process which will have implications for improving student learning achievement. Teachers carry out continuous monitoring of activities and student learning outcomes. The results of monitoring carried out by the teacher are used as data that can be analyzed to

improve the learning process so that the quality of learning can be realized properly.

c. Quality Control

Quality control is carried out in order to detect the occurrence of learning quality deviations that are not in accordance with the standards set by the school. SD Islam Al-Azhaar as an educational institution that uses a full day school system has set quality standards for implementing learning. This quality standard can be used as a tool to provide control of the learning process carried out by the teacher. Control is carried out to determine the occurrence of deviations from predetermined quality standards. The occurrence of irregularities can be corrected as soon as possible in order to achieve the learning objectives effectively and efficiently.

This approach was carried out by SD Islam Al-Azhaar in every activity in the school. This approach is used in order to hold quality education and learning guarantees so that schools become of high quality and demand by the community. The quality of education and learning is a benchmark for school success and public confidence in SD Islam Al-Azhaar.

Methods of improving character-based learning quality

Education and learning held at SD Islam Al-Azhaar are integrated in shaping the competence and character of students in accordance with the school's vision and mission. The formation of student characters is a mandate that must be carried out in forming the generation of Robbani. Therefore at SD Islam Al-Azhaar also developed a superior program that could be used as an effort to improve the quality and competitiveness of schools and community interest in SD Islam Al-Azhaar Tulungagung. The flagship programs intended are: First: General character development which includes activities as follows: (a) thematic nature, (b) outbound, (c) traveling around muroja'ah, (d) quarantine tahfidz, (e) class meeting, (f) home visite, (g) basic leadership training, and (h) reading of Al-Qur'an. Second: daily character development. Included in this program are: (a) habituation to dhuha prayer, (b) habituation to sunnah rowatib prayer, (c) orderly eating, (d) daily muroja'ah, (e) mentoring (especially 6th grade).

Mastery of knowledge and skills developed in SDI Al-Azhar can also be called life skills. Life skills as learning outcomes generally consist of: First: personal skills with components: learning skills (learning to learn, the basic learning skills), adaptability (adaptability), ability to overcome (cape ability), motivation, self-knowledge skills (self awareness), independence, and responsibility. Second: social skills, which consist of: communicationskills,cooperativeand

collaborative work skills (working in groups), and solidarity. The learning approach implemented by the teacher is an active learning approach in shaping student competence. Learning Active learning is used in order to teach students to have the skills (life skills) that they can use in their daily lives. In this regard, Johansyah[12] explains that character learning can provide good, loving, good desires, and acting the good. This method can be used in the learning process simultaneously and continuously so that students have good character

3) Techniques for improving the quality of character-based learning

Creating an effective school must start from improving the quality of learning carried out by teachers in the learning process at school. Improving the quality of learning at SD Islam Al-Azhaar is used in the techniques of discipline, enthusiasm for learning, creativity, utilizing learning resources, developing intelligence, and involving the community in the learning process.

Discipline is the key to streamlining the learning process in school. Discipline is a character value that is very important for students in carrying out the learning process at SD Islam Al-Azhaar. Principals, teachers, staff, and students must behave discipline at school. If all disciplines, it will be an orderly, good and effective school. Discipline is the principal's policy that must be implemented in carrying out the learning process. This finding also strengthens the results of his research by Pristine and Suryani[13] which provides an explanation that a discipline culture can shape the character of students. To realize the discipline that is in school, it is necessary to go through the stages of introduction, understanding, and internalization before sticking as attitudes and habits. Early on children are introduced to discipline, given examples and examples so they are able to imitate what adults do. At this stage examples and examples are very decisive, because the nature of the child is still more imitating. Then when the child begins to know and recognize good deeds and bad deeds, it is necessary to give an understanding of all the consequences of his actions that have been done so that the child begins to recognize his responsibilities.

Students also need the spirit of learning to have high motivation in studying. Growing the spirit of student learning is an effort to improve the quality of character-based learning in schools. The spirit of learning is the key to the success of students for achievement and character. Improving the quality of learning is unlikely to be achieved properly, if students do not have a high learning spirit. The spirit of learning must be possessed by students so they can provide good support in improving the quality of learning in school. This finding supports the results of his research Brannon[14] which

explains that character education has a positive effect on achievement, class behavior, and long-term test scores. Character education also reduces the risk factors associated with school failure in students.

Active learning conducted at SD Islam Al-Azhaar was carried out with the technique of developing enthusiasm for learning, activity, creativity, and student motivation in the learning process in school. The findings of this study are also reinforced by the results of Gibbs' research which explains that what teachers need to do so students are more active and creative in the learning process are: (1) developing self-confidence in students and reducing fear, (2) providing opportunities for students to communicate scientifically freely directed, (3) involve students in determining learning goals and evaluations, (4) provide supervision that is not too strict and not authoritarian, (5) involve them actively and creatively in the learning process as a whole.[15]

Active learning requires learning resources. Learning resources at Al-Azhaar Elementary School relate to everything in the school environment that can be used for learning activities by students. Learning resources created by the school are in the form of curriculum, school programs, books, teachers, education staff, environment, climate, and school culture. Teachers as sources of learning in schools must be able to provide good examples and in accordance with the character values developed by the school. This example is very important to be given by teachers and education staff. Because in character education as the results of research by Trisnantari, Mutohar, and Subiyantoro[16] explain that there is a need for a habituation process. This habituation process requires practice in practice. Exemplary given by the teacher can create situations and conditions that can be emulated by students in strengthening character values so that students can practice in school, home, even in people's lives properly.

Students at SD Islam Al-Azhaar have a diversity of characters that cannot be equated with the way they learn. This diversity is influenced by the different intelligence, talents, interests, motivations, attitudes, and experiences of each student. The diversity possessed by students requires teachers to be able to have approaches, methods, and learning techniques that are appropriate to the conditions of each student. According to Gardner[17] humans have multiple intelligences (multiple intelligences) consisting of musical intelligence, bodily kinesthetic intelligence, logical-mathematical intelligence, linguistic intelligence, spatial intelligence, interpersonal intelligence, and intrapersonal intelligence. The intelligence possessed by students

in the learning process in schools can be developed based on the talents and interests of students.

IV. CONCLUSION

Improving the quality of character-based learning can be carried out by applying active learning through the process of intervention and habituation. The intervention process is carried out through learning activities designed to achieve the goal of character education with a variety of structured activities in schools. Habitual processes can be created through learning activities in schools with reinforcement that allows students to carry out character values that are accustomed to school. Habituation of the application of character values can shape the good character of student in everyday life. The application of habituation must be accompanied by the application of example from the principal, teacher, and staff. Examples have a very important meaning in cultivating core values in schools. The habitual adoption of character in school eventually became a school culture, so that it can determine the achievement of character of students who will show their characteristic competency from education at SD Islam Al-Azhaar.

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Relationship of Empowerment of Human Resources in Total Quality Management (TQM) with Effective School

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Abstract—Human resources is one of the important factors in order to meet the needs of various lines of human life. Human resources, still the only major requirement in any private institutions or Government institutions. Although, many have discovered a new technology that is capable of replacing humans, but human resources is still necessary. This need became cornerstones that there should be a special management that is capable of creating human resources according to the needs of the times. In this case, the quality of human resources is an important factor in doing sorting millions of human resources. Therefore, the required special treatment has to do with the institution. To date, the institution that is the school, is believed to exert influence at most in terms of human resources management, in order to produce a quality resource. In this discussion then described how human resources related to Total Equality Management (TQM) which also closely with effective schools. Effective schools where it needs to be emphasized to menyukupi the needs of human resources quality. In the school's effective role there will be school leaders who are able to drive and find the perfect formula to form human resources with true empowerment.

Keywords: human resources, TQM, effective schools, the role of the school, and empowerment.

I. INTRODUCTION

If you want to create a strategic organizational system and can function optimally in the field of education, then there are important things to note that is the issue of human resources.

Empowerment of human resources is very important in an effort to continuously upgrade from every component of institution / institution from superiors to subordinates. Keep in mind that good organization is often largely dependent on the leader factor. Various researches have also proved that the leader factor plays an important role in organizational development. A very important

leader factor is the character of the person who is the leader.[1]

If you want to create a strategic organizational system and can function optimally in the field of education, then there are important things to note that is the issue of human resources. Empowerment of human resources is very important in an effort to continuously upgrade from every component of institution / institution from superiors to subordinates. Keep in mind that good organization is often largely dependent on the leader factor. Various researches have also proved that the leader factor plays an important role in organizational development.[2] A very important leader factor is the character of the person who is the leader.[3]

Margono as in Dita Rosmaya said; For executors in teacher education institutions, technicians, administrative staff, and so on, empowerment is a necessity they have to earn. On the contrary for leaders from the highest to the lowest, empowerment is a function that they must do or give to the executors.

Assessing the quality of human resources issues, education plays a very important role in the process of improving the quality of human resources. Improving the quality of education is a process that is integrated with the process of improving the quality of human resources itself.[4]

II METHOD

The study of the empowerment of human resources in TQM in relation to effective schools is a literature study or library research that is limited by some formulation of the problem namely; The concept of empowerment of human resources, Total Quality Management (TQM) and effective schools, principles and models of human resource empowerment, Quality in Total Quality Management (TQM), and Relationship of

empowerment of human resources in total quality management with effective schools.

RESULT

The Concept of Empowerment of Human Resources, Total Quality Management (TQM), and School Effective

Concept of Empowerment of Human Resources

2.

Empowerment or empowerment is a process of building a high dedication and commitment so that the organization can be very effective in achieving its goals with high quality. In an empowered organization there will be relationships among its people who share authority, responsibility, communication, expectations, and recognition and appreciation.[5]

Empowerment is a breakdown of relationships or relationships between subjects and objects (including male-female dichotomies). This process emphasizes the recognition of the subject of the ability or power (power) owned by the object. Broadly speaking, this process prioritizes the flow of power (flow of power) from subject to object. In the conventional sense, the concept of empowerment as a translation empowerment contains two definitions, namely (1) to give power or authority or giving power, diverting power, or delegating authority to another party; (2) to give ability to or to enable or empowerment.[6]

According Sedarmayanti argued that: "Empowerment of Human Resources is one of the efforts that must be done for the creation of quality human resources, have the ability to utilize, develop and master the science and technology and management skills".[7]

Meanwhile, according to Fandi Tjipto states that: "Empowerment or empowerment can be interpreted as employee involvement that really means."[8] Nevertheless, the term human resource has been defined variously by educational experts as well as psychologists. Among them is what has been expressed by Yusuf Suit who said that what is meant by human resources is the power of thought and work of human beings are still stored in him that need to be nurtured and excavated and developed to be utilized as well as possible for the welfare of human life.[9]

Gunawan A. Wardhana as quoted by the U.S. Munandar's piece of quotation from Harbison states that human resources include all potential human energies, skills, talents and knowledge that can be used or should be used for beneficial purposes of production and services.[10]

Concepttotal Quality Management (TQM)

According to Edward Sallis Total

Quality Management (TQM) is; a philosophy and a methodology which assists institutions to manage change and to set their own agendas for dealing with the plethora of new external pressure. The above opinion emphasizes the notion that Total Quality Management is a philosophy and methodology that helps institutions, especially industries to manage change and develop their own agenda to respond to external factor pressures.[11]

Total Quality Management in the context of education is a methodology philosophy of continuous improvement, which can provide a set of practical tools to every educational institution in meeting the needs, desires, and expectations of customers, current and future. [12]

TQM is a management system that lifts quality as a business strategy oriented to customer satisfaction by involving all members of the organization. Total Quality Management is an approach to running a business that seeks to maximize the competitiveness of an organization through continuous improvement of products, services, people, labor, processes, and the environment.[13]

3. Effective School Concepts

Effective school can be interpreted as a school that shows the expected level of performance in running the learning process, by showing the quality of learning outcomes in learners in accordance with the main task. The quality of learning and satisfactory learning outcomes is an accumulative product of all school services and the influence of conducive atmosphere / climate created in schools.[14]

Schools are considered qualified if their students, most or all of them, have a high score / value, so they have the opportunity to

pursue higher education. The perception is not wrong if the value or number is recognized as a representation of the value of learning outcomes, which can be trusted, describes the degree of behavior change or the satisfaction of capabilities involving the cognitive, affective, and psychomotor aspects.[15]

B. Principles and Models of Empowerment of Human Resources.

1. Principle of Empowerment

Empowerment is a very important thing therefore to achieve results of empowerment in accordance with the expected. Aileen Mitchell Stewart argues that there are eight principles of empowerment, which came to be known as the "E" principle, these eight principles mutually influence each other, so that all principles will be aligned simultaneously. The meaning of the eight principles of empowerment are: a). Developing common principles, b) Educating,

Keeping obstacles off d) Revealing, e) Encouraging, f) Completing, g) Assessing, h) Expecting.[16]

Model empowerment

The model of empowerment according to Syarafat Khan as quoted by Wahibur Rokhman; offers an empowerment model that can be developed within an organization to ensure the success of the empowerment process within the organization that is:

Desire

The first stage in empowerment is the desire of management to delegate and involve work.

Trust

After the desire of management to do the empowerment, the next step is to build trust between management and employees.

Confident

The next step after the mutual trust is to generate employee confidence with respect to the ability possessed by employees.

Credibility

The fourth step maintains credibility with rewards and develops a work environment that encourages healthy competition to

create an organization that has high performance.

Accountability

The stage in the next empowerment process is the responsibility of employees on the authority given. By establishing consistently and clearly the roles, standards and objectives of the appraisal of employee performance, this stage as a means of evaluating employee performance in the settlement and responsibility of the given authority.

Communication

The last step is the open communication to create mutual understanding between employees and management. This openness can be realized with the criticism and suggestions on the results and achievements made by workers.

The above model illustrates that an empowerment is a series of processes done gradually in the organization to be achieved optimally and build awareness of the members of the organization of the importance of the empowerment process so that the need for commitment from members to the organization. With the granting of authority and responsibility will lead to motivation and commitment of employees to the organization.[17]

C. Relationship Empowerment of human resources in Total Quality Management with effective school.

Deming and Juran say that the system and management more determine the success of the company. However, without employee support it will not be perfect. The success of TQM that can recognize employees can only achieve the best results when a company's culture supports and a poor system is carefully fixed. The implication is that management should encourage lower-level employees to make their own decisions and employees should be trusted in doing their work without having to be monitored every move. This is the principle of empowerment (empowerment) employees.[18] According to Tenner and Detoro there are three dimensions in building employee empowerment are: First, Build alignment (alignment), through: a.) Teach about the vision, mission, values, and goals / goals. b). Building commitment to everyone. Second, Build

capability, targeted at: a). Individuals: ability, skill, and knowledge, b). System: ability to handle materials, methods, and machines. Third, build trust, when achieved by mutual trust between managers and employees.[19]

Similarly, the number of graduates that can be measured quantitatively, while the quality is difficult to set its qualifications. In relation to that within the educational organization environment that is non profit, according to Hadari Nawari the productivity measure of education organization can be distinguished as follows:

Internal Productivity

Productivity, in the form of quantitatively quantifiable outcomes, such as the number or percentage of school graduates, or the number of buildings and premises built in accordance with predetermined requirements.

External Productivity

a result that can not be measured quantitatively, because it is qualitative that can only be known after passing a certain period of time long enough.[20]

Nawawi also said for educational organizations, the adaptation of integrated quality management can be said to be successful, if showing symptoms as follows:

The level of product consistency in providing public services and implementation of development for the interest of improving the quality of human resources continues to increase.

Errors in the work that impacts cause dissatisfaction and complaints of the communities served increasingly reduced.

Discipline of time and discipline of work is increasing.

Inventory of organizational assets more perfect, controlled and not diminished / lost without any known cause.

Controls are effective especially from direct supervisors through inherent supervision, so as to save financing, prevent deviations in the provision of public services and development in accordance with the needs of the community.

Waste of funds and time in work can be prevented.

Improved skills and work skills continue to be implemented so that methods or ways of

working are always able to adapt change and development of science and technology, as the most effective, efficient and productive way of working, so that the quality of products and public services continue to increase.[21]

With regard to quality in the implementation of TQM, Goetsh and Davis as quoted by Fandy Tjiptono and Anastasia Diana who said: "quality is a dynamic condition that relates to products, services, people, processes and environments that meet or exceed expectations"[22]

All sources of quality within the educational organization can be seen manifestation through quality dimensions that must be realized by the top leadership in cooperation with the existing school community within the environment. The quality dimensions are:

1. Organizational Work Dimensions Performance in the sense of behavioral performance in positive work, is a concrete picture of the ability to utilize the sources of quality, which impact on the success of realizing, maintaining and developing the existence of the organization (school).

Working Climate The intensive use of quality resources will result in a conducive working environment in the organization. In a work climate that is colored togetherness will be realized effective cooperation through work in the work team, which respects and respects opinions, creativity, initiative and innovation to always improve the quality.

Added Value Efficient and efficient utilization of quality resources will provide additional value or additional privileges as a complement in performing the basic tasks and results achieved by the organization. This added value is concretely visible in the sense of satisfaction and diminished or the loss of complaints served (students)

Compliance with Specification Efficient and efficient utilization of quality resources manifests on the ability of personnel to adapt the job execution process and the results with operational characteristics and yield standards based on an agreed quality measure.

Quality of Service and Durability of Development Results Another observable impact of efficient and effective use of quality

resources is seen in improving the quality of service delivery to students.

6. Community Perception The efficient utilization of quality resources within the educational organization can be known from the public perception (brand image) in the form of positive image and reputation of the quality of graduates either absorbed by higher education institutions or by the world of work.[23]

TQM failures can also be attributed to half-hearted execution efforts and unrealistic expectations, as well as some of the common mistakes that organizations make when initiating quality improvement initiatives. These mistakes include: a) Delegates and poor leadership of senior management, b) Team mania, c) Deployment process, d) Using a limited and dogmatic approach, e) Over-expectations, f) Empowering that is premature.[24]

Effective schools are always perfecting the program every year so as to develop students' adaptive competencies in every development of science and technology and the global environment.

IV. CONCLUSION

Empowerment is a breakdown of relationships or relationships between subjects and objects (including male-female dichotomies). This process emphasizes the recognition of the subject of the ability or power (power) owned by the object. Broadly speaking, this process prioritizes the flow of power (flow of power) from subject to object. In the conventional sense, the concept of empowerment as a translation empowerment contains two definitions, namely (1) to give power or authority or giving power, diverting power, or delegating authority to another party; (2) to give ability to or to enable or empowerment. In the concept of total quality management (TQM) applied in the world of education, Empowerment of human resources is absolutely necessary and the principal plays an important role in developing institutions / institutions. The first and most important tasks and responsibilities of school leaders are to create the schools they lead to become more effective, in the sense of becoming more beneficial for the school itself and for the broader audience. The success of a school is usually determined by the extent to which the educational goals can be achieved at a certain

period in accordance with the length of education that takes place in school. Therefore, the school appears effective and the school is not effective. Effective schools have a high degree of conformity between what has been formulated to do with the school outcomes.

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Revitalization of Character Education Concept in Making Personality Perspective Children Al-Qur'an Letter Of Luqman Of Verses 12-19

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Abstract. The writing of this article aims to provide a revitalization format of the concept of character education perspective Al-Qur'an. Islam considers that the child is a mandate imposed by Allah SWT to his parents, therefore the parents are obliged to keep, maintain and deliver the message to the child. The reinforcement (revitalization) of Islamic character education on children in the present context is highly relevant. Some factors of the moral degradation of the Indonesian nation among others; the entry of westernization culture (westernized culture), technological development and the mental weakness of the nation's generation. Though one of the government's mission is to organize a national education system that enhances faith, devotion, and noble morality in order to educate the nation's life. Every child is born according to his nature, that is to have reason, lust (body), heart and spirit. Building the character of children from an early age is necessary in order to create a generation of quality children of the nation needed in the nation's development. One of the most effective breakthroughs for character building is education.

Keyword : *Revitalization, Character Education, Personality*

I. INTRODUCTION

Islam considers that the child is a mandate imposed by Allah SWT to his parents, therefore the parents are obliged to keep, maintain and deliver the message to the child. Man belongs to Allah SWT, they must deliver their children through education to know and confront themselves to

Allah.[1]. Educational institutions have a big role in educating the next generation and provide teaching, for that education is one of the breakthrough to boost the minded maintenance of Islamic characters based on the Qur'an in order to produce a generation of high personality.[2]

The reinforcement (revitalization) of Islamic character education in children in the present context is very relevant to overcome the ongoing moral crisis.[3] There are several things behind the moral degradation of the Indonesian nation, among others; the entry of westernization culture (westernized culture), technological development and the mental weakness of the nation's generation. Today, the moral crisis that concerns the government is the rise of promiscuity, the rise of child and adolescent violence, and rape.

Though one of the government's mission is to organize a national education system that enhances faith, devotion, and noble morality in order to educate the nation's life. Therefore, based on the mission, the 1945 Constitution is born article 31 paragraph (3) about the rights and obligations in education. Seeing the importance of education in a person, the need for foundation, one of the most fundamental foundation is religion. The approach through education and religion plays an important role in attracting people's awareness to be moved to instill Islamic character from an early age.

II. METHOD

This research is a qualitative research with the type of library research (library research), namely research conducted by seeking information and exploring scientific data from written materials by scientists in the past and present (Kaelan, 2005:

that are relevant to the title discussed, in this case information about Revitalization of Character

Education Concept in Making Personality of Perspective Children Al-Qur'an Letter Of Luqman Of Verses 12-19. An approach to the method of interpretation of the maudu'i and the tahlili method are used this research. The author's maudu'i method is used because the author has determined the theme first to discuss the verses of the Qur'an, namely Luqman's letter verses 12-19. While the tahlili method is the interpretation of the verses of the Qur'an by describing all aspects contained in the verses that are interpreted and explaining the meanings that are in it according to the expertise and tendency of the interpreter who interprets these verses (Sumadi Suryabrata , 2005: 39). The combination of the two approaches is intended by the writer to identify verses 12-19 of Luqman's letter about character education (maudu'i approach) and then understand and develop these verses with the tahlili approach.

RESULT

Character Education Concepts in Islamic Perspective

Building the character of children from an early age is needed in order to create a generation of quality children needed for nation building. One of the most effective breakthroughs for character building is education. The education lasts a lifetime, so the process can be done in families, communities, formal and non-formal institutions. Education in the family has a positive influence, in which the family environment provides motivation and stimulation to the child to receive, understand, believe and practice the teachings of Islam. The responsibility of the child rests on the parent's shoulders, so that the children are spared from the loss, the ugliness and the fire of hell that is always waiting for the man who is far from Allah SWT.

Character education should depart from the basic human concept: fitrah. Every child is born according to his nature, that is to have reason, lust (body), heart and spirit. This concept is now developed into the concept of multiple intelligence. In Islam there are some very appropriate terms used as a learning approach. These concepts include; ta'lim, ta'dib and tazkiyah.[4] Ta'lim is related to the development of intellectual intelligence (Intellectual Quotient / IQ); Ta'dib is related to the development of emotional intelligence (Emotional Quotient / EQ); Tazkiyah is associated with the development of spiritual intelligence (Spiritual Quotient / SQ).

To develop the potential of nature in the form of reason, then developed method of ta'lim, which is a method of science education and technology that emphasizes the development of cognitive aspects through the process of teaching. While the output is a child who has a scientific attitude, ulul albab and mujtahid. Ulul albab is a

person who is able to utilize the potential of thought (intellectual intelligence / IQ) and the potential dzikirnya to understand the phenomenon of God's creation and can utilize it for the benefit of humanity [5] While mujtahid is a person who is able to solve problems with intellectual ability. Outcome of reason (IQ) education is the formation of a righteous child (waladun shalih).

The ta'dib method is used to awaken the "sleeping giant" of the heart (the emotional intelligence / EQ) within the protégé. Ta'dib more work on value education and the development of faith and taqwa. In education this heart, the goal is the formation of students who have moral and ethical commitment. While the output is a child who has the character, integrity and become mujaddid. Mujaddid is a person who has a moral commitment, ethical and sense of call to improve the condition of society. In the case of this mujaddid Abdul Jalil (2004) said: "Many people are smart but not become reformers (mujaddid). A reformer weighs the risk. Become the reformer because the calling of his heart is not because of his position ".

The tazkiyah method is used to cleanse the soul (spiritual intelligence / SQ). Tazkiyah more functions to develop spirituality. In the education of the soul the target is the formation of a holy soul, clear and happy[6]. While the output is the formation of a quiet soul (nafs al-mutmainnah), ulul arhaam and tazkiyah.

The use of learning method is a form of "mission creed" that is as a distributor of wisdom, the spreading of God's grace to the students in order to be a pious child, pious and high personality. All approaches and methods of education should refer to the ultimate goal of education that is the formation of a virtuous child.[7]. The method of learning is said to bear a holy mission because the method is the same as the substance and the purpose of learning itself.

Forms of Character The Perspective of the Qur'an Letter Luqman Verses 12-19

Some characters that can be implanted in children according to letter Luqman verses 12-include:

Gratitude Education

Quraish Shihab in Tafsir Al-Misbah (Quraish Shihab, 2005: 139) says that the word of gratitude in the letter of Luqman verse 12 comes from a meaningful word of gratitude on three sides, which is the first gratitude that recognizes and imagines pleasure in the heart. Second, grateful gratitude, that is the praise of the person who gives pleasure to him. Third, thanks to all members of the body, that is by replying to the pleasure by doing according to his ability. The most important gratitude is

thanks to God, for He is the giver of all pleasures to all his servants. And whoever gives thanks to Allah, the favor will return to himself. And whoever kufr against the favors of Allah, then who will bear the bad consequences of his kufr is himself (Surah An-Naml verse 40).

Gratitude education should be given to children from an early age by getting our children to say alhamdulillah tapping the favors gained and thanking for what he has received.

Faith Education[8]

Says that the word shirk in the letter Luqman verse 13 comes from Arabic - كرش - كرش: associate. Judging from its kind, polytheism is divided into two kinds, namely shirk akbar and shirk asghar. Great shirk is the act of making allies to God and making a place to ask such as asking God.

While asghar shirk is all that can carry a great shirk and not reach the degree of worship. The word يهبط comes from the word يهبط which has two meanings, first meaning the opposite of glowing and shining, the two putting things out of place.[9]

Luqman explained to his son that shirk is a great tyranny. Shaykh Ahmad Musthofa Al-Maroghi in Tafsir Al-Maroghi (2008: 177) says that shirk is putting things out of place. This is supported by the statement of Al-Syatabi as quoted.[10] about equalizing God with idols who have no enjoyment whatsoever. Luqman gave advice as compassion for his son, monotheistic counsel, worshipping Allah alone and not associating him with anything.[11].

Intellectual Education

Ibn Kathir in Tafsir Al-Qur'an Al-'Adzim (2005: 177) said that the word اهت خاي which means (will Allah will bring it) means, He will later menghisabnya is to give a reply. This verse describes the power of God doing the calculation of his servants' deeds in the hereafter. Even the smallest kind of charity will receive justice from the Just and will receive a proper reward.

Salat Education

Ibn Kathir in Tafsir Al-Qur'an Al-'Adzim (2005: 177-178) said that the word sholat comes from the Arabic - جلاص - مصي - جلاص. According to the language of prayer is a prayer. [12] Medium according to the term salat is a worship consisting of special readings that begin with with takbir and end with a salam. Prayer is a form of ritual which is a means for everyone to always feel close in the atmosphere of spiritual communication with God.[13]

In prayer is contained wisdom, that is to prevent from cruel and evil deeds. The word زيا according to Ibn Katsir and Tafsir Al-Qur'an Al-'Adzim (2005: 181) has five meanings, case, enjoin, flourish, directions and wonder.

The word زئص in the letter of Luqman verse 17 is taken from a word consisting of ص, ب, ب. Its meaning revolves around three things

1) restrain, 2) the height of something, 3) a kind of stone.[14]

Humble Education

According to Ar-Roghib Abu Al-Qosim Al-Isfahani in the book Mufrodad Alfaz Al-Qur'an tells that takabur derived from Arabic "takabara" which means arrogant or pride. In vain terms is a proud attitude to assume that only he is the most powerful and true than others.

The next verse Luqman suggests that his son be simple in walking and soften the sound. Alusi Shihab Al-Din in Ruh Al-Ma'ani fi Tafsiril Qur'anil 'Adzim says that the word ضضع is taken from the word ضضع in the sense that the use of something is not in its perfect potential.[15] Someone is asked not to shout as strong as his ability, but with a slow voice but not necessarily whisper. Thus the teaching above the child is asked to speak low and slowly unlike the donkey. Ar-Roghib Abu Al-Qosim Al-Isfahani in the book of Mufrodad Al Fazz Al-Qur'an tells us that the saying of the donkey ass that someone is acting stupid, because of arrogance and arrogance. After knowing the six center points Luqman letter verses 12-19 next author offers ideas as a strategy as well as a solution to implement the teachings of Islamic characters from an early age.

This is as a form of optimization Kholifatullah fil Ardhi role will be done through the means of character education. One of the reasons why education is a solitary solution is because the goal-oriented education changes the behavior, attitudes and morale of learners to be more wise.

In instilling character education in children, the role of family, community, and school is very important. The family is the root of the formation of society, nation and even civilization. For that in the family needs to grow awareness to maintain morals, such as getting used to say hello, bertegur greet, shake hands and others.

Awareness should be instilled early on to family members through exemplary parent, thus giving birth to a new generation that has noble character. Sujana Rifa'i, 2010). In order to support it, parents should also give special

insight on the importance of maintaining the attitude so that the balance between knowledge and practice.

Similarly, the role of society is needed in the development of children's character, because society is an environment in which children grow, develop and mingle with others. Society must realize its duty as a place of moral education in children.

Besides family and community, the role of school is also very important in character planting. School is the second home after the family home. The role of the school is to model and instill awareness of the importance of character for the child. Therefore, there must be cooperation between family, community and school so that the implementation of character education achieve success.

IV. CONCLUSION

To overcome the already grounded moral decadence in all lines of human life today is the way, then the revitalization of character education in children. The concept of character education according to Islam is the behavior of a Muslim in the face of the dynamics of life must be with IQ, EQ and SQ in order to form a whole character based on Al-Qur'an and As-Sunnah.

In Islam there are some appropriate terms used as a learning approach. The term or concept is among others; ta'lim, ta'dib and tazkiyah. The Luqman perspective verses 12-19 teaches to have the character of gratefulness, faith, intellectuality, salutary and not arrogant. To implement it through family, community and school education.

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Strategy For Improving Quality Of Education Through Medp Programs (Case Study At MI Thoriqul Huda Juwet Ngronggot Nganjuk)

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Abstrak--To get good results in education needs strategy and fostering good cooperation between schools, communities and governments. Schools or madrasahs will not be able to improve education to produce graduates who are good and in accordance with the desired government and society. In addition to good input, qualified graduates are influenced by services, human resources, educational facilities in accordance with the provisions through the management of existing school resources as performed by Madrasah Ibtidaiyah (MI) Thoriqul Huda Sonopinggir Juwet Ngronggot Nganjuk. In fulfilling the adequate educational facilities for private institutions is a formidable challenge because it is related to financing, therefore need government assistance, one of which is through MEDP program.

Keywords: Strategy, quality, MEDP

I. INTRODUCTION

The major problems faced by the majority of madrasah, especially those in rural areas, are the low quality of education when compared to schools. Meanwhile, each unit of formal and non formal education is expected to provide facilities and infrastructure that meet educational needs in accordance with the growth and development of physical potential, intellectual intelligence, social, emotional, and psychological learners.[1] It is also no exception for the madrasah ibtidaiyah Thoriqul Huda who is in the hamlet Sonopinggir Juwet Village District Ngronggot Nganjuk. As an effort to improve the quality of education.

The backwardness of this madrasah is influenced by several factors, such as low human resources, high community poverty, lack of adequate infrastructure, less effective management, limited funding sources and so on. Such a reality would certainly be a serious obstacle for madrasah in realizing the mandate of law no 20 of 2003 which is to create learning atmosphere and learning

peoses so that learners actively develop their potential to have spiritual power of religion, self-control, personality, intelligence, character and skills needed him, society, nation and country.[2]

One of the strategies undertaken by MI Thoriqul Huda Juwet to improve the quality of education is to evaluate and submit to get government assistance given to an institution or organization directly from the APBN that cut the compass in the form of Block Grant. It is the amount of funds provided by the government for certain institutions to be utilized in accordance with the formulas and fields of work set by the government [3] one of them is Madrasah Education Development Project (MEDP), is priority program of Ministry of Religious Affairs especially in improving the quality of madrasah education.

The program is implemented in 27 selected poor districts in three provinces (Central Java, East Java, South Sulawesi), targeting 500 selected madrasah (206 MI, 236 MTS and 58 MA) and 90% of which are private.[4] The program is financed from the loan from fund Asian Development Project (ADB) Loan 2294 - INO (SF) of U \$ S 50 million and the state budget of S \$ 21.4 million for a total of US \$ 71.4 million. The ADB fund is a government loan that must be returned within 32 years.[5]

Organizational Structure MEDP include the Directorate of Madrasah Education, Directorate General of Islamic Education, the Central Project Management Unit (CPMU) at the Center, Provincial Coordinator Unit (PCU), at the Regional Office, District Coordinator Unit (DCU) in Kandepag district or city and Madrasah as the target program.[6] While the components of the MEDP program are:

Improved professionalism of teachers, in the form of qualification and certification development programs, training on teaching

material comprehension and learning methodology, support for professional development continuity and teacher guidance (KKG-MGMP) and best work competition.

Increased resources and facilities, including the addition of textbooks and learning support materials. Improved facilities, equipment, software and furniture. As well as the development of the design and implementation of the learning facility maintenance system. Peningkatan efisiensi madrasah, sarana untuk memenuhi Standar Nasional Pendidikan berupa Program remedial, Program Transisi dan Pengembangan kapasitas partisipasi.

Improved Governance, Management and sustainability of Madrasahs according to National Education Standards, ie Improved systems and procedures of results-based management and Improved systems and procedures of governance and accountability.

MEDP block grant help is temporary and limited, meaning that block grant is only used to finance activities that have been agreed by madrasah and Directorate of Madrasah Education Directorate General of Islamic Education, Ministry of Religious Affairs.[7] MEDP block grant assistance has the purpose of improving the quality of graduates and improving madrasah accreditation, the expected impact of MEDP project implementation are two categories, namely short term and long term.

In the short term it is expected that MEDP's project will influence and improve the quality, efficiency and effectiveness of madrasah. It is based on indicators;

Increased average progress and retention in the madrasah system,
Improved performance (performance) of students in various levels of education including the reduction of gap between the system of education of madrasah and public schools,
Significant reduction in performance differences (performance) of students between districts / municipalities, especially madrasahs and program targets
Increase people's positive perception of quality.

In the long term the MEDP project is expected to have an impact on improving the competitiveness of MA graduates in the selection of universities and the world of work. This is indicated by the increase in the number of madrasah Aliyah graduates who entered in college. The improvement of competitiveness can also be demonstrated by the number of madrasah graduates who occupy strategic positions in the world of work.[8]

The MEDP project of US \$ 71.4 will be

channeled to every madrasah that has been decided to receive block grant funding in accordance with the CPMU's madrasah development plan (MDP). The total budget above is decided after an agreement between Departments (Bappenas, Ministry of Finance, and Ministry of Religious Affairs) with the note that dala loan is possible to be increased if the implementation of the MEDP program reaches the set target.[9]

II. METHODS

This research uses qualitative approach with natural background as the source of data. In order to collect the data according to the focus and the question and the cultivation of the research, it was then used to collect the data by observation, in-depth interview and document review from the observation and interview to head of madrasah, vice head, teacher, school committee, and student.

III. RESULTS

Based on data presentation, MEDP is one of the strategic programs in improving the quality of education in the form of government assistance to educational institutions far from the central government. Thus, for Madrasah Ibtidaiyah (MI) Thoriqul Huda Juwet Ngronggot Nganjuk MEDP is one of the strategies to meet service standards, education and learning facilities that are effective in improving the quality of education.

Comparison before and after MEDP sebelum dan sesudah MEDP

There are some significant developments in MI Thoriqul Huda if the data between before and after MEDP in kopilasi. However not necessarily can be said that MI Thoriqul Huda has fulfilled SPM Education. The following is the progress note before and after MEDP, seen from several aspects.

No	as pe ct	Description	Before MEDP	After MEDP
1	Kualifikasi Guru	S2	-	1
		S1	3	6
		D3	1	-
		D2	1	-
		Proses akhir S1	-	3
		SLTA	3	3

		Pontren	3	3
2	Tenaga	Tata Usaha/Operator	-	1
		Pustakawan	-	1
		tadarus	-	1
		Petugas Kebersihan	-	1
3	Sarpras	6 Ruang rombel m ²	5 x 5,5	7 x 8
		Lab. Multimedia	-	1 unit
		Perpustakaan	-	1 unit
		Lokal Houst	-	1 unit
		Media Pembelajaran/ LCD	-	4 unit
		MCK siswa	-	5 unit
		MCK guru	-	1 unit
		Tempat upacara	15 x 20 M ²	24 x 20 M ²
		Ruang guru/Kantor	5x5,5 m ²	7 x 8 m ²
		Ruang Kepala	-	-
		Gudang	-	1
		Komputer kantor	1	4
		Laptop	-	2
		Note Book	-	1
		Printer	1	4
		Meja guru standar	2	6
		Meja Kantor	4	7
		1 Meja siswa	1:3 anak	1:2 anak
		Buku teks	1 : 4	1 buku 1 anak

			anak	
		Almari Kelas	-	4
		Al Mari kantor	3	4
4	Jam Kegiatan	Tadarus	-	06.30.07.00
		Jam Masuk	07.30 wib	07.00 wib
		Istirahat	09.30 wib	09.20 wib
		Jam pulang kls 1-3	10.00 wib	11.10. wib
5	Kegiatan Extra	Jam pulang kls 4-6	11.30 wib	12.20 wib
		Komputer	-	ada
		Sholat Dhuha	-	ada
		Pramuka	ada	ada
		Pidato kls 6 ahir	ada	ada
		Qiro'ah	Tempore r	Temporer
		Khoth/Kaligrafi	Tempore r	Temporer
		Matrikulasi	-	ada
		Les Baca/tulis arab+latin	-	ada
		Kegiatan Romadlon	ada	Ada

Based on the data that the author collected above can be seen how the standard condition of services provided MI Thoriqul Huda before receiving assistance Block Grant MEDP. Portraits of these services are still many who have not met the minimum educational standards, it can be viewed from the following aspects:

Teacher Qualification

Before receiving Block Grant MEDP madrasah has 16 teachers, and who already have S1 qualification only 1 person and 3 people in final settlement S-1, the rest only capital diploma Aliyah or pesantren only. This condition would greatly affect the quality of education services directly, either

from the academic aspect or oranisasi. It can be proved by the number of teachers who do not have a lesson plan (RPP), they often teach with lecture theory only regardless of the psychological condition of students. On the other hand, the capacity building of educators and educational staff is not getting the attention of madrasah so they work based on their own background and experience without any effort to follow the dynamics of education.

In this aspect MI Thoriquil Huda have sent 4 teachers to attend college S1 with different majors, one person majored grade teacher at IAIN Sunan Ampel Surabaya, 3 people in Unesa Surabaya majoring in science and Indonesian. On the other hand, some teachers who are not attending S1 degree programs are also given the opportunity to participate in 25 days of Subject Content training with emphasis on 3 Unas maple, Library management training, Computer Laboratory management training and certification teacher preparation training. These facilities certainly have a significant impact on the capacity of educators and education personnel, as those who have received training or lecture facilities are obliged to assign their scholarship to others [10].

Aspects of Facilities / Infrastructure

Textbooks and Enrichment books

Before receiving assistance

MEDP, owned textbooks this madrasa is very limited, there are only a few maple available, some of the book obtained from Bos help book, when it was one for the books used by students alternately 3-4, while for parents able to buy their own for his son.

Demikian pula dengan buku pengayaan, madrasah ini sebelum MEDP tidak banyak memiliki buku pengayaan, yang ada adalah buku-buku bekas yang tidak berlaku lagi atau rusak. Setelah mendapatkan program MEDP setiap siswa dapat belajar dengan nyaman karena setiap siswa menggunakan satu buku dan dapat meminjam buku pengayaan dipertustakaan.

2) Building Condition

Before receiving MEDP assistance the madrasa had six classrooms and one madrasah office, each measuring 5.5 x 5 m², the rooms were on average rated by 28 to 34 students and one teacher who mostly had to sit in three or four one bench, you can imagine how stuffy the study room at the

time sekitar clock 10, of course this state reduces the comfort of learning, and finally at 10:30 am already busy asking to go home. On the other hand this madrasa is also not equipped with a student toilet, so when they defecate must ride in the village or mosque WC. This also reduces the quality of service that an educational institution must provide.[11]

In this aspect MI Thoriquil Huda has built 6 classrooms each measuring 7 x 8 m² to replace the old room with a size of 5.5 x 5 m², plus 6 MCK for students, 1 complete library with its contents, 1 Multimedia Laboratory, and Local Houst. This facility is certainly very helpful on improving Education services.[12]

3) Aspects of Management

Before obtaining MEDP, on the aspect of madrasah management is still very weak, among the causes are; (1) The education provider does not have sufficient competence in the field of management, (2) The recruitment of personnel is not regulated with good terms and regulations so that personal use is used as needed. (3) The government's attention to the improvement of educators and educational staff is still lacking. (4) most education providers are less open to the demands of change and the dynamics of education, (5) The role of the underprivileged community so the less productive educational journey. On the other hand, the established tupoksi often does not work because it is not actualized, so there is often the accumulation of work on one or two people, even when the madrasah does not have administrative officers. Under these conditions, it can be imagined how weak the management of madrasah, which ultimately also affect the quality of education services.

The entire set of MEDP projects influences the improvement of MSS through the management and management of madrasahs by providing special training for heads and education managers and related parties at the madrasah level.

The training was conducted several times, first at Satellite Hotel Surabaya, then at Hotel Kalimas Psuruan, continued at hotel Oro-oro Ombo Batu Malang, Hotel Utami

Surabaya, Hotel Sahid Surabaya and Inna Pasuruan hotel. The entire series of trainers above are intended for madrasah managers to be able to :

- a) Improving governance, management, and sustainability of Madrasah education sector management with the focus of Madrasah Based Management (MBM)[13]
 Improve Quality and Performance of Madrasah Management^[14]
 Providing Quality Assurance and Quality Control. [15]
 Being able to develop information management systems in the world Financial Education^[16]

Various training above is very influential on the change and improved quality of care in MI Thoriqul Huda, it can be seen from several indicators:

Increasing the role and participation of the community / guardians in various madrasah activities.

Increased development of student potential through various achievements in various competitions.

Increasing the value of national exams
 Meningkatnya data kunjungan siswa ke perpustakaan.

Increasing volume discussion and meeting of teachers

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IV. CONCLUSION

Based on the above discussion can be concluded Improving the quality of education should be through a good and appropriate strategy. MEDP is a government assistance in the form of a strategic program to improve the quality of education

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Strategy of Values Implementations, Attitudes and Job Satisfaction of Teachers Form Organization Behavior Islamic Educational Institution (*Multiple Case Study in MIN I Jombang and SDI Tebuireng Ir Soedigno Jombang*)

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Abstract: This study reviews the strategy of values implementations, attitudes and job satisfaction of teachers to create organization attitude in MIN 1 Jombang and SDI Tebuireng Ir Soedigno Jombang. This research used multiple case study type with a qualitative approach. The results of the study explained that 1.Value implementations in two Islamic educational institutions have in common is each teacher in carrying out their jobs with honesty, trust, single-hearted and discipline as evidenced by attendance and reports each finished performing their duties, 2. Teacher's behavior implementation in both Islamic education institution focus on togetherness and goodness. 3. Job satisfaction of teachers in both institutions have a relatively common since every individual has always been committed to a given task, but in the achievement of success of the achievements of the work memiliki differences arising from the ability of the teacher, and 4) a strategy implementation for that three elements is done by open with each other in tasks, optimization mission and objectives and institutional commitment that created an organizational theory of Islamic education. Thus, the above three elements have a relation to one another in creating organizational theory of education, so the presence of teachers in educational institutions of Islam to be a part in advancing education.

Keyword: *Value, Attitudes, Job Satisfaction, Organization Behavior.*

INTRODUCTION

The organization is a group of people in the container life intertwined interaction and active communication to reach the goal of organization.

Organizational behavior is a reflection of each individual member. Behavior or relationship with one another in the organization will reflect the patterns, attitudes and characteristics of the organization. Organizational behavior include or involve discussion on the behavior of individuals or groups. This is an indicator that the realization of structures and organizational behavior cannot be separated from the supporting elements and actors which includes individuals, (member), a leader, and other devices.

According to Robbins, explaining that organizational behavior is the study of micro view that is putting pressure on individuals and groups within the organization. Organizational behavior focused on behavior within the organization and a set of variables regarding the achievements and values, attitudes of the employees, and job satisfaction that much attention. In organizational behavior is needed teamwork, in perform the duties of the organization based on the goal that is expected. Well what if the organization reflects the values, attitudes and satisfaction with what was done.[1]

But, if an organization is not built on togetherness, there will be consequences or were destroyed or did not achieve the goal. There are several causes of lack of achievement of organizational goals, namely conflicts of interest that are not built well, the lack of a level of understanding in the organization, commitment, unclear orientation.

Therefore, the value⁷ the attitude of members, and performance management in an organization is in need because it can reflect organizational behavior. Values are essentially contained in the individual side of a member or manager in an organization. Values and attitudes are also able to give effect to certain situations and behavior. A personal value system can be regarded as a basic framework perceptual relatively sedentary that shape and influence the properties of a particular individual's behavior. [2]

Islamic educational institutions are educational institutions which characterized Islam, greatly encouraged the formation of values, attitudes and job satisfaction of any individual or group as a form of Amalia's being taught in Islamic law. MIN I Jombang as a Muslim educational institution always pay attention to values, attitudes and job satisfaction in each individual teacher, so that with the formation of values, attitudes and job satisfaction, organizational theory it will form a positive impact on the educational progress and development of educational institutions. it has done MIN I for the last ten years, where progress and pekembangan MIN I in all aspects of education.

Likewise, occurring in SDI Tebuireng Ir Soedigno Jombang, where there is growth and remarkable progress in terms of both academic and nonacademic. Due to the commitment and motivation that the formation of values and attitudes of each individual job satisfaction. Culture is always cared for and preserved to the presence of SDI Tebuireng Ir Soedigno Jombang being people's choice in their daughter's education.

Thus, in organizational behavior that the values, attitudes and satisfaction of the performance is an integral interconnected or integrated in creating an atmosphere organization works effectively and efficiently. With the value will provide confidence in the organization, individual values will reflect the order of organizational theory was good, the attitude to encourage the organizational theory that has pastures and attitude forward, and work satisfaction will have a positive impact on society as a compensation for the output, organization out came.

Based on that background, the study of values implementations, attitudes, and job satisfaction for each individual are inseparable part in the study of the organizations behavior. Values, attitudes, and satisfaction is basically the realm of psychology, but in Islamic education organization is very important because it concerns an individual, or a group that affect the success of education. Each individual in the organization is one of the important elements that will contribute to the formation of the organizations behavior. The third aspect of the above can be explained as follows:

Value

Value is a basic belief in human beings with a form of state or actions believed to be true personally or within the scope of the social group. Value is also significant as an ingrained belief in man as a person or a group. It is also described by Rokeach 2973:

Value is enduring belief that a specific mode of conduct or end state of existence is personally or socially preferable to an opposite or converse mode of conduct or end state of existence. [3]

Explained that the values belief that occurred or related to the behavior or the circumstances of someone either as an individual or a social group. It shows that the value of a person reflects in daily life either in a community or individual. Values in some literature described there are five things as follows: (a) the value is a concept or belief, (b) the desire of an organization or behavior, (c) address the particular situation, (d) guide the selection or evaluation of behavior and events, and (e) are of interest.[4]

In addition, the value of a personal conviction about something that should be done in everyday life and how to cultivate the attitude of his beliefs. Value divided into two as follows:

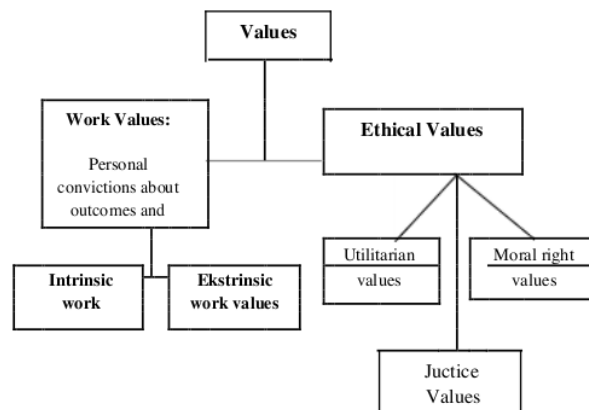


Figure 1 value in Organizational behavior.[5]

Attitude

Attitude is the statement / evaluative judgments concerning objects, people or events. Attitude can be contrary to the value, because it is unstable and easily influenced than the value. In a gesture of work is defined as follows:

Work attitudes are collections of feelings, beliefs, and thoughts about how to behave that people currently hold about Reviews their jobs and organisasi. Work attitudes

are more specific than values and not as long-lasting Because the way people experience changes Often Reviews their jobs over time. [6]

Explanation of the above, that the work attitude is correlation between leadership and subordinate work, beliefs, and thoughts about how the behavior of the person currently holding the job and the organization. More specific work attitude of values and does not last long because of the way people experience their work often change over time. For example, someone working situation may be changed because of a job transfer or be given or denied promotion.

Therefore, the attitude is a construct / concept/building that is a hypothetical (*hypothetical construct*). It was said, because the real attitude can not be seen with the eyes, touched by hand or perceived by the tongue. To understand a person's attitude, that we can do is to define or interpret what it says or does. Thus, to understand the person's attitude toward an object, 1) need to look at what is said or done such a person against an object, 2), to interpret the intent of the person's words or actions, and 3) understand the behavior of the person concerned.

Work Satisfaction

Work satisfaction is an implication of the work commitment a person or a leader within the organization, obtained satisfaction on the achievements together on what the objectives of the organization. Job satisfaction can interpret as a form of expression for services, labor relations, and comfort as well as the achievements of the organization. Job satisfaction also meruoakan reflection of one's feelings toward his work. This is a positive impact on employee attitudes toward work and everything encountered in the work environment.

Meanwhile, according to Robbins, job satisfaction is a general attitude towards one's job, the difference between the number of rewards received by a worker and the amount they believe they should receive, Satisfaction occurs when individual needs are met and associated with the degree of likes and dislikes associated with employees; is a common attitude that is owned by the employee which is closely related with the rewards they believe they will receive after making a sacrifice. [7]

Likewise, according to Jennifer M, George (2012) as follows:

Job satisfaction is the collection of feelings and beliefs that people have about Reviews their current jobs. People's levels or degrees of job satisfaction can range from extreme satisfaction to extreme dissatisfaction.[8]

Explanation of the above, that job satisfaction is a set of feelings and beliefs that someone has a job that they are currently facing. Job satisfaction for public appraisal of the results of the work carried out so as to feel the satisfaction of extreme arrive at the extremes.

On the other hand organizational commitment required to achieve the feeling and belief that such a person was having on the organization as a totality. The level of commitment a person can be determined based on a sense of ownership of the organization, and people who have a good attitude to encourage relate with the existence, the quality of organization' output, and attitudes and other organizations.

Fourth, organizational theory is basically a study about the aspects of human behavior within organization. This includes the the following aspects brought about by the influence of the organization is to humans and vice-versa. Based on that definition that organizational behavior is the study how human interaction within the organization that includes the study systematically about behavior, structure, and processes within the organization. The important thing in organization theory is the human relationship within the organization and the organization created by man to achieve the goal.[9]

Thus, the behavior of the organization is very important for the progress of the organization because it created communications relationship that mutually affect one individu with other individuals within the organization to achieve the expected goals.

Furthermore, in This research aims to explain: 1) how to implement the values to each teacher in teacher duties at MIN I Jombang and SDI Tebuireng Ir Soedigno Jombang, 2) about how to implement the teacher attitudes towards the tasks given at MIN I Jombang and SDI Tebuireng Ir Soedigno Jombang, 3) about the job satisfaction of each teacher on the results of its work in MIN I Jombang and SDI Tebuireng Ir Soedigno Jombang, and 4) how the strategy to inculcate these three aspects in shaping organizational theory at MIN I Jombang and SDI Tebuireng Ir Soedigno Jombang.

II. METHOD

This research method is done using a qualitative approach that is naturalistic, while the category of research is field (field research) with types of research using case studies, where researchers conduct studies on cases that there is a field related to the topic at understood better with the aim to determine the ratio of cases between the two locus of research. In this study, researchers examined the strategy to realize the values, attitudes and job satisfaction principals in shaping

organizational theory in Islamic educational institutions.

The source of data is obtained in two ways: that is the source of primary data and secondary data sources. The primary data source is obtained in the form of words or speech spoken (verbal) and the behavior of the subject (the informant), in association with the title obtained through observation and interviews with some of those involved in the completeness of the data is needed, from the principal, all teachers and some students. The Sources of secondary data obtained from documents, photographs, and objects that can be used as a complementary source of primary data.

Analysis of this data from the research use a multicase study with qualitative analysis description, is about data analysis which produce the detail description about circumstances, phenomena, interactions and the behavior of the informant as a primary source and key informants of the parties involved in the research of both the teacher and the principal of the two institutions, namely MIN 1 Jombang and SDI Tebuireng Ir. Soedigno Jombang. This study uses multi-case study design, then in analyzing data was done in two stages: First, the data analysis of individual cases and second, cross-case data analysis. In practice, the data analysis in this study using a variety of techniques. Technical analysis of the data used in this study based on Miles and Huberman, namely data reduction, data displays, and data verification to obtain the result accurately and can be justified.

III. RESULTS and DISCUSSION

After doing research process and data mining of the locus was specified, then researchers can decipher some research findings based on research goals above,

Some results of this research was described in a comprehensive manner between the two educational institutions between MIN and SDI Tebuireng Ir Soedigno Jombang on strategies to instill values, attitudes and job satisfaction in creating organizational theory as follows:

First Insert the values of teachers in performing their duties. The findings of the study as follows: 1) Investment value of the teacher is always based on the belief of the tasks and common interests, 2) the two institutions have always uphold the values of integrity, honesty, responsibility, sincerity, trust, and discipline in carrying out duties in the school. 2) Every teacher on both educational institutions were able to provide the best for the progress of the institution and the response is good for the community, 3) each teacher always give the best to the students in accordance with the rules and regulations. Both school have different rules, MIN 1 Jombang follow

the Ministry of Muslim regulation while SDI Ir Tebuireng Soedigno Jombang follow Kemendiknas and its foundation regulation. 4) Each teacher had faith in what they are doing for creating great students, 5) inserting qur'ani values for teachers in MIN 1 Jombang, 6) emphasizes the value of honesty and sincerity in carrying out duties as a teacher at SDI Ir Tebuireng Soedigno Jombang.

Second, teacher behavior implementation in work, namely: 1). Cultivating scolds greetings with greeting and shaking hands, 5). Each task, each teacher always asks another, as happened in SDI Tebuireng Ir Soedigno Jombang, while in MIN evidenced by the journal activities, dan 3) pursuing in religious activity and mutual respect for one another, 4) mutual care between one another in the task both in MIN and SDI, but the different is in the practice. In MIN teachers help other teacher's work for teachers who are lower (new), whereas in SDI work is collective regardless of status, tenure, etc., 5) has a strong commitment in every job as a responsibility both as a teacher, staff and managers, and 6) was high and strong ownership of the work that it provides so important to maintain self-esteem.

Third, job satisfaction of teachers include some of the following: 1) All of the elements in each institution to work according to their field both teachers, staff and principals or managers, who can give the satisfaction in a job, 2) job satisfaction in the both institutions have the same relative because every individual has always been committed to a given task, but in the successful achievement of outcomes in SDI Tebuireng Ir Soedigno Jombang work better with national and international academic performance, from the first MIN Jombang only national achievement.

Job satisfaction is basically a sense of security to any person in performing their duties, and their good treatment of what is produced in duties implementation. In MIN 1 Jombang between PNS and Non PNS teachers have a different treatment according to their status both in carrying out the task, Welfare impression and opportunity in every activity resulting in differences in job satisfaction in the sense feel it, whereas in SDI Tebuireng Ir Soedigno Jombang all teachers with private status have the same treatment and the same valuation for any teacher who carry out duties in accordance with their competence and achievements.

Fourth, Strategy instill values, attitudes and job satisfaction in shaping organizational theory as follows: 1) Strategies undertaken both institutions is to optimize all the potential of every teacher and give reward for each individual / group in carrying out their duties properly, and 2) provides an understanding of the duties, responsibilities and competence to be able to make

the values, attitudes and job satisfaction integrated in each task and job, 3). Both institutions between MIN and commitment to SDI at the same commitment in values implementation, attitudes and job satisfaction in organizational theory through training and development, religious activities (SDI), discipline, self skills and innovation, and 4) developing human resources in accordance with the required scientific respective institutions

Based on the above results, the MIN and SDI I Jombang Jombang Tebuireng Ir Soedigno strategy implementation of values, attitudes and job satisfaction of teachers in creating organizational behavior is very diverse and vary it depending on the level of competence and creativity of each individual. However, it differs in providing education policy and systems that have an impact on performance in each individual in the institution between MIN I Jombang and SDI Tebuireng Ir Soedigno Jombang. MIN I Jombang with foreign status in performing the tasks of each policy must be based on the rules specified in implementing the Ministry of religion, including the educational curriculum. While SDI Tebuireng Ir Soedigno Jombang the private school use full day school education system, its management and structuring of institutional organization more dynamic, flexible, and innovative accordance with the direction and institutional commitment with regard to Islamic values and needs of the community. Each individual in both institutions share the same commitment in carrying out their duties.

This, as a form of responsibility for the profession for each teacher which always looking from the duties and obligations to which it aspires. They always insert values, show a good attitude and competence in order to achieve satisfaction in their work. In carrying out his duties as a teacher as mandated by the Law on Teachers and lecturers No. 14 2015 as follows:

Traffic includes pedagogical competence, personal competence, social competence, and professional competence acquired through professional education[10]

Therefore, that the values, attitudes and job satisfaction in Islamic educational institutions can be described in the governance of the organization in their respective educational institutions, namely with due respect to individuals, groups and good governance. Due to organizational behavior in the picture may be reflected from individuals and groups within the Islamic educational institutions.

Thus, that strategy in inserting the organisational behavior in Islamic educational institutions must be considered the aspect of individuals in terms of values, attitudes and job satisfaction organizations, Furthermore, that the

cultivation of the values of teachers in Islamic educational institutions must first assess each individual in the organization as a very important element in creating the existence of the organization of educational institutions. Each institution between MIN I Jombang SDI Tebuireng Ir Soedigno has reflected the values of work on each individual who visits of confidence in what has been done based on the existing rules, a good process, discipline, commitment, and the output is marked by achievement and appreciation of the institution.

According to McShane & Von Glinow Value interpreted as a personal reflection of someone in guiding the various provisions or decisions and actions in accordance with the organization's work. The behavior of each individual does by habit consistently in order to achieve the goal. But in reality and practice rarely executed because of personal values and behaviors of individuals assume that the values are abstract concepts that sound good in theory but less easy to follow in practice. Values in the reflection of organizational behavior should basically show up of behavior of individuals, therefore, that each individual has an important role in building a culture of values within an organization^[11]

Then, exposure to research data pertaining to attitudes in the organizational work is a reflection of each individual. As the researchers found, that attitude is reflected in individuals (teacher) in their respective educational institutions of Islam have in common is the public speaking attitude, professionalism, social relation and pedagogic. However, of the few cases in individuals (teachers), that those who have role to the job are those who have higher educational qualifications than the lower. The attitude that reflects from each teacher is how they feel something. When I say "I love my job," I express my attitude about work. Attitude is not equal to the value, but the culture are interconnected.

But seen from the gender differences between male teachers and female in each institution of Islamic education that woman teacher attitudes more on attitudes that meekness, compassion, and care to students or colleagues, while the male teachers, more on assertiveness, strong and rugged. Although these attitudes important to be owned by everyone in improving labor productivity, including very important to have for a leader, to get sympathy from those around him or lead. Instead rude attitude and stubborn / hard of heart would be very harmful to a person in touch with other people, because it could damage the already established a good relationship.

But seen from the gender differences between male teachers and female at each

institution of Islamic education in showing its attitude towards different students. The attitude of female teachers are gentleness, compassion, and care to students or colleagues, while a male teacher has a firm stance, strong and rugged as well as authoritative. The attitude is very important to be owned by all people, to be able to increase productivity, including for leaders in order to gain the sympathy of the people around him/her. Instead rude attitude and stubborn / hard of heart would be very harmful to a person in touch with other people, because it could damage the already established a good relationship.

Therefore, in growing the expected work attitude organizational commitment required to achieve the feeling and belief that such a person was having on the organization as a totality. The level of commitment a person can be determined based on a sense of ownership of the organization, and people who have a good attitude to encourage the existence, product quality organization, and attitudes and other behavior.

Further that, job satisfaction on both institutions are generally formed because of conditions and infrastructure to support and work environment. But each agency has a different assessment in terms of job satisfaction. MIN 1 Jombang in assessing the satisfaction of the teacher is more on the achievements and results obtained as well as their repson the good of all parties for the achievement of the task, whereas in SDI Ir Tebuireng Soedigno Jombang valued on job satisfaction as seen in the ability of teachers based on their knowledge, because if the teacher according to his ability then, every task will be traversed with a good process and the results were satisfactory.

But specifically that there are differences in understanding and getting job satisfaction. MIN I Jombang, that job satisfaction due to the ability of someone of teachers in the mastery of the material presented to students and the achievement of what has been presented as evidenced by the results of the evaluation of a daily, weekly, monthly and even repeat the educational year. While job satisfaction experienced in SDI Tebuireng Ir Soedigno Jombang, perceived as the correspondence between what is given with what they have, their compatibility with the leadership, the results obtained, and the attention of all the elements of education against the achievements.

In theory, as in the mentioned by As'sad explains that the variables that can be used as an indication of declining job satisfaction is the high rate of absenteeism (absenteeism), high employee turnover (turnover), a decline in labor productivity or employee job performance (performance). If the indication of the decline in employee satisfaction

come to the surface, then it should be immediately addressed so as not to hurt the company.[12]

Based on the above theory view, that the MIN I Jombang judge about job satisfaction, for their appreciation by giving the opportunity to perform in public for the services and achievements obtained, it becomes satisfaction of each individual. But in SDI Tebuireng Ir Soedigno Jombang, that is always seen of work being done and school attendance.[13]

At the level of reality, as conveyed by As'ad that the indication of job satisfaction can be measured by the level of work attendance, behind the real facts on the ground, most of the employees who were present not solely because there is job satisfaction but rather the rules of the system which requires each employee to be present every working hour. Attendance is basically not a measure of job satisfaction, but discipline arising from Islamic religion factors that can provide job satisfaction. Job satisfaction was also obtained from the treatment leader, providing the convenience of work, rewards for work performance.

This is similar to the Luthan's word that affect job satisfaction one job itself because the work can provide job satisfaction side if an attractive, comfortable and challenging, work that is not boring, and the job can provide status. There are three commonly accepted dimensions in job satisfaction. First, job satisfaction is an emotional response to the work situation. Thus, job satisfaction can be seen and to be expected. Second, job satisfaction is often determined by how well the results achieved met or exceeded expectations. Third, job satisfaction represents several related attitudes.[14]

On the other hand, according Malthis, job satisfaction is a positive emotional state of a person evaluate work experience. Hope to achieve job satisfaction basically has many dimensions, general satisfaction in a job can be measured by the amount of salary, appreciation, good relationships between teachers and school leadership, achievement of targets, and the opportunity to move forward. Each dimension will be good so that it can induce a feeling satisfied overall with the work itself.[15]

Benchmark levels of job satisfaction in their respective research institutions is absolutely nothing, because each individual (teachers) have the competence standard beragamsehingga satisfaction with different standards. However, every individual on the base and the common interest, the required level of discipline and responsibility to achieve job satisfaction.

Islamic educational institutions, in essence, that the strategy to insert values, attitudes and job satisfaction of teachers in performing their duties has always been a very important thing,

because it can provide a positive impact on the behavior of organizations, and the quality of education. strategies undertaken by optimizing human resources, facilities and infrastructure, as well as to bring up the quality of service for every teacher in duties implementations. Thus, that values, attitudes and job satisfaction in Islamic educational institutions should always be a concern for all elements of the school, including the support of the head of school / madrasah for each individual teacher in carrying out their duties properly, so it will make the expectation as organizations behavior from all people.

7 IV. CONCLUSION

Based on the above discussion, that the conclusions of this study are as follows:

That value implementation for teachers in shaping organizational behavior as individuals or in groups in two educational institutions of Islam between MIN and SDI Tebuireng Ir Soedigno Jombang implemented based on beliefs and guidelines that exist in each of these institutions, they have different views in inserting the value of work for teachers, Values are embedded in general in both are growing conviction against any work carried out.

Attitude implanted from each individual teacher at two institutions between MIN I Jombang and SDI Tebuireng Ir Soedigno Jombang same as reflect Islamic and religious norms that it believes will keep the emphasis attitude in each different agencies: at MIN I Jombang attitude the emphasis is on the use of rules at MIN I Jombang and attitude that reflects the values of Qur'anic, while SDI Tebuireng Ir Soedigno Jombang namely mutual respect, respect the competence of each other, and have a high concern to the public interest.

Satisfaction work is the implication of the work commitment of teachers or leaders in the organization, obtained satisfaction on the achievements together on what the objectives of the organization. But in the achievement of successful work in each of the different institutions, in MIN I Jombang job satisfaction on the achievements and accomplishments into a measure of job satisfaction. Achievement on the tasks assigned berupa good student achievement district, TEAK and nasional from various fields as well as institutional changes, whereas in SDI Tebuireng Ir Soedigno Jombang job satisfaction is measured in the ability to accomplish work processes in accordance with the vision of the institution,

Strategies in values implementation, attitudes and job satisfaction in organizational behavior was done by optimizing all the potential of every teacher and provide rewards for each individual / group in carrying out their duties

properly, and provides an understanding of the duties, responsibilities and competence to be able to make the values, attitudes and integrated job satisfaction in every task and job, thus forming organizational behavior as well as improving the quality of human resources in accordance with the required scientific fields.

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Teachers' Consideration In Developing Integrated Skill-Based Lesson Plan For EFL Students: Some Substantial Suggestions

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Abstract—Lesson plan is a guide containing a set of proposed activities to aid the teacher in the classroom which contains detail activities as well as media, method, and resources needed in teaching in the classroom. Developing lesson plan for integrated skill need some consideration to make it fulfill needs of the students. In teaching integrated skills, oral and written skills are not kept separated and isolated from one another. Instead, they often occur together, integrated in specific communication events. Since English is taught not just for academic but also for communication purpose, the development of the lesson plan should consider the communicational goal. This article aimed to reviewing teachers' consideration in developing integrated skill-based lesson plan as well providing some substantial suggestions.

Keywords: Teachers' consideration, Lesson Plan, Integrated Skill

I. INTRODUCTION

To be a good teacher, developing a good lesson plan is very crucial. Lesson planning is at the heart of being an effective teacher. It is a creative process that allows us to synthesize our understanding of second Language acquisition and language teaching pedagogy with our knowledge of our learners, the curriculum, and the teaching context. It is a time when we envision the learning we want to occur and analyze how all the pieces of the learning experience should fit together to make that vision a classroom reality.

Lesson plan is a unified set of activities that cover a period of classroom time [1]. In the Education dictionaries it is stated that a lesson plan is written guide for trainers plans in order to achieve the intended learning outcomes. It provides specific definition and direction on learning objectives, equipment, instructional media, and material requirements. Lesson plan is a series of course plan which provides direction for a teacher

of what kind of materials of study to be taught and how to teach the materials [2].

well-developed lesson plan reflects the needs of the students. It incorporates best practices for the educational field. It will ensure that the teachers are prepared for the class and will make it run more smoothly. It is important to break the material up into several sections and choose activities suitable for each. Knowing approximately how much time an activity will take is important, but after the first lesson the teachers may need to adjust things accordingly. It is best to be flexible seeing as different classes will respond to material differently. If at any point students struggle, teachers will have to dedicate more time to instruction or drilling before moving on to practice activities.

All the teachers need to make wise decisions about the strategies and methods they will employ to help students move systematically toward learner goals. The more organized a teacher is, the more effective the teaching and thus the learning is. Writing daily lesson plans is a large part of being organized. Because all of the explanations, teacher must practice how to make a good lesson plan. In second language learning, in this case is English, the teacher develops an integrated skill (listening, reading, writing, speaking) lesson plan. This kind of lesson plan can help the students to produce what have they learn.

The students not only experienced the teacher's explanations but the students also able to produce something after being explained by the teacher. Therefore, this paper has a purpose to meticulously review teachers' consideration in developing integrated skill-based lesson plan and some substantial suggestions.

7 III.METHOD

This study employed a library research design since the data were in the form written information. The writers did not make any manipulation to the subject. The source of the data was the information stated in the books about curriculum and lesson plan. To ensure the credibility of the data, the triangulation was conducted through theoretical 7 triangulation. Following the interactional model of Miles and Huberman, the analysis of data 7 as done through the following steps; data reduction, data display, and conclusion drawing.

RESULT

The Importance of Lesson Plan

Lesson plan is a guide containing a set of proposed activities to aid the teacher in the classroom. Lesson planning is an important process in teacher trainees' gaining experience since it forces them to reflect on what to teach, how to teach and how to evaluate [3]. The lesson plan contains detail activities in the classroom as well as media, method, and resources needed in teaching in the classroom. Every course needs to be prepared. Preparation before entering the classroom is in the form of planning sequence of activities to be done during in the classroom for certain amount of time. Lesson plan should never be thought of as instructions to be followed slavishly, but rather as proposal for action. Of course, good teachers are flexible and respond creatively something to happen in the classroom, but they also need to have thought ahead, to have a destination which they want their students to reach, and some ideas of how they are going to get there.

Some teachers may not need to make any plan before entering the classroom. They seem to have an ability to think on their feet, and this allows them to think that lesson planning is unnecessary. However, most teachers do not share this view and prepare their lessons. It resulting in a very formal lesson plan or it may be just in the form of hurried notes. Whatever the form, it is even categorized as a lesson plan.

Teachers who are equipped with the plan show that they have devoted their time to thinking about the classroom. It also strongly suggests the level of teacher's professionalism and commitment to teach in a classroom. In contrast, lack of preparation or planning may suggest the opposite of these teacher attributes and may also influence the students in case of their motivation and respect to the lesson.

Planning a lesson is important for some respects. The plan gives the lesson a framework or the shape of lesson [4] Framework is the overall shape of the lesson. A plan helps to remind teachers what they intended to do as well as to give a teacher an overview to anticipate for certain additional activities or for unforeseen problems may appear during the instructional process. A Lesson plan is also important as it can give a teacher a sense of security and confidence in the classroom. Making lesson plan means teacher prepares 'anything' to happen in the classroom. Lesson plan also provides a record for the teacher which will be useful for future teaching.

To sum-up, planning a lesson is a need for teacher as well for students. It is important to prepare a lesson a night before than no planning at all. Lesson plan will give benefits either for teacher or students in some aspects. The main benefit of lesson plan is helping to keep good classroom management.

Integrated Skills

Actually, skills of language cannot be separated one another because they are a component which influence the development of language learners. Integrated skills teaching and learning mean that the teacher combines the teaching of several language skills in one shot. Combining the skills here is done in order to provide maximum learning opportunities for the different students in the class.

1. Two Forms of Integrated-Skill Instruction

Two types of integrated-skill instruction are content-based language instruction and task-based instruction. The first of these emphasizes learning content through language, while the second stresses doing tasks that require communicative language use. Both of these benefit from a diverse range of materials, textbooks, and technologies for the ESL or EFL classroom.

Content-Based Instruction

In content-based instruction, students practice all the language skills in a highly integrated, communicative fashion while learning content such as science, mathematics, and social studies. Content-based language instruction is valuable at all levels of proficiency, but the nature of the content might be different by proficiency level. For beginners, the content often involves basic social and interpersonal communication skills, but past the beginning level, the content can become increasingly academic and complex.

At least three general models of content-based language instruction exist: theme-based, adjunct, and sheltered [5]. The theme-based model integrates the language skills into the

study of a theme (e.g., urban violence, cross-cultural differences in marriage practices, natural wonders of the world, or a broad topic such as change). The theme must be very interesting to students and must allow a wide variety of language skills to be practiced, always in the service of communicating about the theme. This is the most useful and widespread form of content-based instruction nowadays and it is found in many innovative ESL and EFL textbooks. In the adjunct model, language and content courses are taught separately but are carefully coordinated. In the sheltered model, the subject matter is taught in simplified English tailored to students' English proficiency level.

Task-Based Instruction

In task-based instruction, students participate in communicative tasks in English. Tasks are defined as activities that can stand alone as fundamental units and that require comprehending, producing, manipulating, or interacting in authentic language while attention is principally paid to meaning rather than form [6]. The task-based model is beginning to influence the measurement of learning strategies, not just the teaching of ESL and EFL. In task-based instruction, basic pair work and group work are often used to increase student interaction and collaboration. For instance, students work together to write and edit a class newspaper, develop a television commercial, enact scenes from a play, or take part in other joint tasks. More structured cooperative learning formats can also be used in task-based instruction. Task-based instruction is relevant to all levels of language proficiency, but the nature of the task varies from one level to the other. Tasks become increasingly complex at higher proficiency levels. For instance, beginners might be asked to introduce each other and share one item of information about each other. More advanced students might do more intricate and demanding tasks, such as taking a public opinion poll at school, the university, or a shopping mall.

Substantial Suggestions in Integrated Skills Lesson Plan

In developing lesson plan for integrated skill, the teacher should aware that oral and written languages are not kept separate and isolated from one another. Instead, they often occur together, integrated in specific communication events. So, the language learning process, listening, speaking, reading, and writing should be treated as integrated,

interdependent, and inseparable elements of language. In the other word the English language is taught not just for academic but also for communication purpose. So, the lesson plan should consider the communicational goal that every language course should achieve by exposing learners to the richness and complexity of the language.

In order to achieve this goal, the instructor's teaching style must accommodate the learning style of the learner, the learning must be motivating for the students, and the setting must provide resources and values that strongly support the teaching of the language. The four essential factors to make this running well are teacher, learner, setting, and relevant languages. The lesson plan designed should consist of the four primary skills of listening, reading, speaking, and writing which also includes associated or related skills such as knowledge of vocabulary, spelling, pronunciation, syntax, meaning, and usage. When all of these factors are successfully interwoven, it can be said that the Integrated-skill Approach is being effectively used.

Next, the teacher should build the lesson plan around a theme or a topic based on the interest of learners and also on topics that are relevant to them, which contributes to make lessons more dynamic and engaging for learners, who participate in different kinds of activities and interaction. *"Activities used by teachers in the integrated approach are real-life activities and situations and thus create an interactive learning environment"* [8]. In other words, when using the Integrated-skill Approach, teachers face their students with communicative situations that have to as real as possible so that students realize the importance of learning the foreign language.

The activities in the lesson plan should refer to the instruction. There are two types of integrated-skill instruction which are Content-Based Language Instruction and Task-Based Instruction. In the Content-Based Instruction, students practice all the language skills in a highly integrated, communicative fashion while learning contents such as science, mathematics, and social studies. Content-based Language Instruction is valuable at all levels of proficiency, but the nature of the content might differ by proficiency level. For beginners, the content often involves basic social and interpersonal communication skills, but past the beginning level, the content can become increasingly academic and complex.

In Task-Based Instruction, students' basic activities such as pair work and group work are often used to increase student interaction

and collaboration. For instance, students work together to finish the task or project. More structured cooperative learning formats can also be used in task-based instruction. Task-based instruction is relevant to all levels of language proficiency, but the nature of the task varies from one level to the other [7].

Another important thing is the teacher should relate the topics with students' experiences and asking them about their opinions and feelings concerning the topics studied. The way in which the new contents were exposed and the materials provided were both dynamic and engaging. It engage students to practice their language skills on their own – the textbook used rarely or not all the time.

IV. CONCLUSION

In conclusion, the English language is taught not just for academic but also for communication purpose. As a result, in developing the lesson, the teacher should consider the attainment of the communication goal. The lesson plan should cover the teaching of language skills such as listening, speaking, reading and writing as well as some components like pronunciation, vocabulary, and others. The lesson plan is built around a theme or a topic based on the interest of learners and also on topics that are relevant to them in order to make the lesson more dynamic and engaging for learners, who participate in different kinds of activities and interaction. Group activities are also advisable in teaching integrated skill, such as pair work and group work through which students' interaction and collaboration are increased. The last but not least, the lesson are not only refer to text book. The teacher should be creative in developing the learning materials.

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Teaching and Learning Paradigm in History; A Case Study at State Islamic Institute of Tulungagung

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Abstract—The present article is based on an empirical study on teaching and learning history at State Islamic Institute of Tulungagung. The study was aimed at describing lecturers' paradigm in teaching that influence much the lecturers' decision on the approach and model of teaching and learning. It is a fact that the historical knowledge taught in educational institutions consists of a history as an interpretation in the form of historical narratives. This learning of historical knowledge has long been laid as part of social studies that places history as a source of data to solve the latest social problems. The same holds true for State Islamic Institute of Tulungagung. A case study on teaching and learning history shows that it remains dominated by the delivery of historical narratives. History is conceptualized by lecturers as knowledge of the past. History is understood more in terms of the content of substantive knowledge rather than its capacity side as a discipline. This influence much on the teaching approach which mainly dominated by the best story approach, and on the teaching models by which lecturers tend to be the story teller and the eclectic.

Keywords: *Paradigm, Teaching and Learning, History*

I. INTRODUCTION

It is a fact that historical learning in educational institutions remains dominated by the delivery of historical facts and lacks attention to aspects of the development of learners' reasoning power and critical thinking. It is strongly perceived among learners that learning history is none other than learning to memorize facts; name, year, event. Such a view leads to an attitude that shows boredom, is not interested in history and feels learning history as a useless burden. In addition, learners will also assess history to be meaningless, if they are only required to understand a collection of facts about the past that have been chosen by certain people or parties [1] [2]. Therefore, historical learning that prioritizes the teaching of historical facts allegedly has become one of the main causes of the failure of history learning in educational institutions, for it makes the ability of the learners limited, especially when the facts are taught out of the context of the event [3].

The approach and model of teaching and learning

history is strongly influenced by the teaching paradigm chosen by teachers [4]. There are two paradigms of learning in history that are closely related to historical conceptualization. The first paradigm sees history as an event that actually happened in the past or an important event that really happened. Seixas [1] argues that if we regard history as nothing more than the knowledge of the past, then historical learning merely conveys this knowledge. Seixas calls it the best story approach, a traditional approach in which learning activities are merely the delivery of the best and definite story, aiming at strengthening learners' sense of belonging to a nation, religion, culture, and transnational entity; promoting certain values, such as peace, democracy, patriotism; and providing general knowledge about human behavior in history.

The second historical teaching paradigm views history as a discipline. History is a discipline that seeks to determine the knowledge of the past of certain societies [2]. As a discipline, history has its own method and logic, in other words history is a model of investigation that may have had interests in the past that differ from everyday practical concepts. In this sense, history is not only a collection of knowledge about the past but also a way of generating knowledge of the past, and learning history means developing knowledge and understanding of how history takes place [5][2][1]. Wineburg[6] and Wilson[4] found three patterns of relationship between historical conceptualization and historical learning: (1) Teachers who believe that history is temporary and open to debate will encourage learners to question knowledge of the past; (2) Teachers who view history as a collection of facts will emphasize learning on the accumulation of facts; (3) Teachers who believe history as a driving force for social change will focus on learning the issues of gender, race and power. Seixas[1] finds two patterns of relationships: (1) Teachers who conceptualize history as past events or stories will use the "the best story" approach, where learning is merely an activity of conveying facts or stories; and (2) Teachers who conceptualize history as a discipline will use disciplinary approaches in learning by

which learning activities convey not only substantive historical knowledge but also the capacity development of historical thinking.

Based on this context, a case study on history learning at State Islamic Institute of Tulungagung was conducted to explore and describe the lecturers' paradigm of historical learning and its implications for the selection of historical learning approaches and models. This institution is chosen as a research location because it places history courses as a part of its institutional.

II. METHOD

Research on historical learning is considered appropriate using a qualitative approach and a case study type. The collected data were in the form of descriptive data obtained from words and behavior[7]. The subjects of this study were purposively selected; all the history lecturers of all faculties who had a mandatory requirement in history or who had history classes for two consecutive semesters. Data were collected through three main data collection methods in qualitative research, namely in-depth interview, participant observation and documentation. To obtain the research data, the researcher interacted as closely as possible with the subjects of research in a natural setting to observe their historical learning activities and to study the documents they have[8].

The data analysis technique used was Constant Comparative Method, which constantly compares one datum to another, and constantly compares one category to another. In general, the process of data analysis includes data reduction, categorization, synthesizing, and composing work hypotheses[7]. At the reduction stage, the researcher identified the smallest unit or section that relates to the focus of the problems. Lincoln and Guba name it the unit of information that serves to define a category[7]. At the categorization stage, the researcher sorted each unit into parts that have similarities, and then labeled each category. There were two categories used in accordance with the focus of the study, namely: the first category is "Learning Paradigm" (LP); and the second category is "Learning History" (LH).

At the synthesis stage, the researcher attempted to find a link between two categories, and then labeled them according to their relationship. In other words, the researcher sought to see the link between the first category (learning paradigm) and the second category of (Learning History). At the final stage - preparing the working hypothesis - the researcher formulated a related proportional statement and answered the research questions.

To test the validity of the data, the researcher used the credibility criteria with triangulation technique. Triangulation is a technique of checking the validity of data that utilizes something else[9].

According to Moleong[7], the most widely used is checking through other sources, i.e. comparing and checking the degree of confidence of information obtained through different time and tools.

III. RESULT

The lecturers who become the subjects of this research are not from history or history education majors. They are from religious majors. However, this educational background supported their mastery on the substantive knowledge of history they teach. This becomes a major capital in the study of history, for developing substantive knowledge about the past is central to historical learning activities[10]. Thus, every teacher must have in-depth knowledge of the substance of history s/he taught in order to process information easily [11][10].

History is conceptualized by the lecturers as knowledge of the past. History is seen more in terms of substantive knowledge rather than its capacity side as a discipline. In fact, these lecturers show traditional practices that have spread in historical learning with a truly chronological model in which historical periods are taught sequentially without paying particular attention to inter-period relationships. So that history learning does not look time-oriented. Seixas calls this approach as the 'best story approach', in which learning merely conveys knowledge of past events. This traditional approach departs from a paradigm that views history as a collection of facts or events of the past [1]. Stradling [5] suggests that learning history using the best story approach emphasizes on the following aspects; (1) Knowledge transmission; (2) The weighting of course content heavily in favour of political and constitutional history; (3) A focus predominantly on events and personalities; (4) The construction of the syllabus around a content-rich, chronological survey of national history; and (5) The underlying assumption that the national historical narrative coincides with the history of the largest national grouping and the dominant linguistic and cultural community.

The lectures compiled historical material based on the accumulation of reading various references so that they can present historical events from various perspectives. The lecturers also follow the flow of historical material as expressed in their respective reference books. Stradling [5] names it as —multiperspectivity that sees historical events from multiple perspectives. Chapman et al

state that in order to achieve multiperspectivity, textbooks should not only consist of one narrative built by the author but also include both primary and secondary sources. However, the lecturers are less likely to use their references to compare one perspective to another, whereas the stories told in history books, according to Hynd[12], are not free

from perspective. The historian's or writer's views are influenced by a number of factors, such as political affiliation, the social conditions at which the book is written, as well as the sources historians use.

The lecturers also develop their own historical learning model. Some lecturers prefer to convey historical material in the form of lectures. They assume that with lectures, historical material will be conveyed according to the course of history. In fact, they do have a compulsory subject of history so they focus on teaching aspects of historical facts. In this connection, they are more visible as the storyteller, who believes that stories can bring an interest in history and can transmit knowledge. So history learning tends to be run with teacher-centered and didactic approach[11].

Furthermore, these lecturers also tend to convey historical material as part of the social sciences in which the historical facts taught are expected to be used to solve the latest social problems. According to Heyking [2], there are at least two opinions about historical traits as part of social studies that have implications to the study of history. First, history is about important public issues, the latest political, social and economic trends, rather than about the daily life or past of a family. Second, historical learning really conveys facts that might be used to solve current problems. This assumes that in history learning we are asked to bring up our past facts and offer clear lessons.

Some lectures tend to choose expository model in teaching history, so that they can narrate historical material chronologically. By using this model, the lectures may be classified as story teller type, who tell the story of history they have chosen with a simple narrative and do not give students a chance to argue the story. The lectures can also be classified as the cosmic philosopher: who believe that history goes in the pattern or cycle of progress and setbacks - whatever happened in the past has important implications for the future. Taylor and Young [11] explained a series of historical teaching typologies based on teachers' historical conceptions and beliefs about the purpose of learning history:

The storyteller: teachers who believe that stories can bring an interest in history and can transmit knowledge; (2) The scientific historian; teachers of this type believe that questions, analyzes, interpretations, and explanations are the heart of history that leads to the settlement of historical problems; (3) The relativist / reformer: teachers of this type believe that history is the origin of the existence of the present world, so that history can be used to make future possibilities; (4) The cosmic philosopher: teachers of this type believe that history goes in the pattern or cycle of progress and setbacks - whatever happened in the past has important implications for the future; and

The eclectic: teachers of this type believe that history can be represented in various ways and purposes, namely as a means to attract interest, as a form of intellectual exercise, as a means of understanding the past, and as a source of personal and communal identity.

Some other lecturers design history lessons in the form of paper presentations and discussions. Learning by this method makes the learning activities centered on students (student-centered). However, the purpose of learning is basically the same, namely to convey historical material or provide general knowledge about human behavior in history. In the discussion sessions, lecturers do not convey historical concepts and facts in historical or chronological contexts. With this model of learning, the lecturers seemed to ignore the element of historical thinking skills. Thus, these lecturers could not be categorized as story tellers, but rather as the eclectic [11], who believe that history can be represented in various ways and objectives.

IV. CONCLUSION

The context of this study is on a setting that does not assess the importance of historical learning as a discipline. History is more viewed as knowledge of past events. Thus, learning activities are carried out more on the development of substantive knowledge of history rather than on the development of students' historical thinking skills. The lecturers' mastery on historical disciplines is lack. Historical concepts, such as facts, interpretations, chronology and continuity, as well as causation, are not widely played in historical learning. This can be understood from their educational background which is not derived from history or historical education. Nevertheless, the lectures have already studied historical substantive knowledge in their previous education, that makes the learning process of historical substantive knowledge runs easier.

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Thai Students in English Program; Cross-Cultural and Language Adaptation

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Abstract—New places always bring new culture. Not all people could easily adapt to the new situations where they are. Likewise, Thai Students who study in Indonesia. Although Indonesia and Thailand have some similarities in culture, there are still differences that make people difficult to adapt. Language differences are the biggest problem when communication occurs. Thai students studying at IAIN Kediri spread to several courses, one of them in the English program. In English program, Thai students not only adapt to Indonesian culture and language, but they also have to learn English. To explore the obstacles Thai students face in English program, this study is intended to be done. Do Thai students have a culture shock? Do they have hard time in communication? How do they adjust in learning process? Are some questions asked to 10 Thai students who study in English department. Their adjustment to culture (language, custom, food, etc) is analyzed by ABC (Affective, Behavioral and Cognitive) theoretical model of culture shock from Ward. After having in-depth interview with the subjects and trusted sources, the biggest difficulty faced by Thai students is to understand local language especially when they are in classroom. This study offers a more comprehensive understanding for the English teaching learning practitioners in dealing with international students who learn English.

Keywords—Thai Students; culture and language adaptation; ABC theoretical model

I. INTRODUCTION

A novel social and education organization are only some of new things found when people come to a new place. Start from about 4 years ago, IAIN Kediri had an agreement with Pattani muslim community in exchanging muslims students. following the agreement, a number of Thai students come to IAIN Kediri to have four-year studying in some departments in IAIN Kediri. Undoubtedly, this agreement did not come coincidentally, there were some consideration and studying to have such program.

The world had changed much, people can mobile from one place to another place easily and fast. people move from one country to another country to get better education is no longer a rare things nowadays. The term international students following this trend. Their existence have raising new trend in understanding cultural adjustment. How international students adapt and adjust to new

environment bring about some researches and studies to see the phenomenal scientifically. Psychology has big role in studying this part, but it does not deny language study to review this phenomena.

Language acquisition takes place while people trying to adapt himself in absolutely new and different from their own. Thai students come with their Thai and Malay language. Luckily, Malay language has some similarities with Bahasa Indonesia. Those students who study in non-English department do not need to work hard in adapting their communication since they can understand Indonesian language easily. For, most of lecturing are delivered in Bahasa Indonesia.

However, the differences between Indonesian and Thai culture make the international students have experienced culture shock, especially in the beginning of their living in Indonesia. Culture shock itself is defined as a state where one is not able to stand with a variety of cultural influences that comes from outside, causing imbalance in one's self to the society concerned (Ward, 2001). Culture shock is an active process in facing any changes while presenting in an unfamiliar place. The active process consists of individual affective, behavior, and cognitive. How people feel, behave and think when they encounter new culture. This may include the anxiety about how to dress, how to use public services, the differences of norms and ethics, relationships model, and many others that often cause various social problems, including socio-economic inequality, environmental degradation, and juvenile delinquency. We use the phenomena of the culture shock in the current study to analyze the adaptation of language and cross-cultural that is experienced by Thai students of English Department at IAIN Kediri.

Culture Awareness in ELT

The proficiency of second language becomes one of the factors for academic success of international students.[1] It means that language proficiency is necessary, even important, especially when classes are not offered to be spoken in one's native language, as well as the language that is used in daily conversation. Thus, an awareness of the second culture is a must for international students.

The cultural dimension to language has always been present in language pedagogy (Risager 2007), even if it is not always explicit. Given the closely intertwined nature of culture and language, it is difficult to teach language without an acknowledgement of the cultural context in which it is used. Indeed, culture has been a component of our understanding of communicative competence from early conceptions with Hymes' (1972) emphasis on the importance of sociocultural knowledge. More recently, intercultural communicative competence has extended the role of culture in successfully preparing language learners for intercultural communication. However, with the English language now used as a global lingua franca in a huge range of different cultural contexts, a correlation between the English language and a particular culture and nation is clearly problematic.

Cross-Cultural Adaptation

The process of a second language learning needs the adaptation that occurs gradually to the culture of target language, considering the close relationship between language and culture [2] Moreover, Schumann suggested that second language learning is a part of cross-cultural adaptation and that second language learners' level of adaptation to the culture of the target language can determine the level of understanding of the target language (language adaptation).

According to Searle and Ward [3] cross-cultural adaptation includes two major dimensions, —psychological adjustment and —socio-cultural adjustment. Psychological adjustment refers to the perceived levels of happiness and satisfaction. Some of its factors, such as pressure, local friends, life changes, attitude towards interactions with local friends, and other individual factors, will affect psychological adjustment. Meanwhile, factors affecting socio-cultural adjustment are mainly based on social learning theory and thus include assessments on the bases and models of interactions, such as cross-cultural contact, cultural distance, previous cross-cultural experiences and length of residence [4]

People can have different perception when they face a new place. Those who are easy to costume absolutely different culture particularly have understood how to be involved in new place psychologically. But this case, is quiet rare to find. The adjusment people make in facing new culture bring to some model of adaptation they make.

Theoretical concepts of adaptation are reviewed, applied to the pedagogical adaptation of student in an unfamiliar culture. This framework cannot be separated from the term culture shock. Theories of culture shock then led to the emergence of contemporary theoretical approaches, such as

culture understanding, stress and tracing, and social determination. To accomodate those approaches, a broad theoretical framework based on the affective, behavioural and cognitive (ABC) aspects of shock and adaptation from Ward is used.[5]

Affective Adaptation

Social support also impacts on affective outcomes, although research on friendship networks places greater emphasis on the quantity and quality of actual support than the mere number of networks. Social support from both host and co-nationals can contribute to enhancement of student psychological well-being. (e.g. Tanaka et al. 1997). Social support also alleviates 'homesickness' (Hannigan 1997).

This dimension is related to feelings and emotions that can be positive or negative. Ones get confused and feel overwhelmed by coming to an unfamiliar environment. He or she may feel confused, anxious, disorientated, suspicious, and also sad to come to an unfamiliar environment. In addition, individuals feel restless, unsafe, and afraid of being cheated or injured, feeling of loss of family, friends, longing for hometown, and losing self identity. Further research into how the psychological well-being and sociocultural adaptation of international students impede or enhance their academic success is needed.

Social and Behavioral Adaptation

This dimension relates to cultural learning and development of social skills. Individuals have made a mistake in rules, habits and assumptions govern interactions of interpersonal covers varied verbal and nonverbal communication across cultures. Foreign students who come and have less knowledge and good social skills in the local culture will behave difficulty in starting and maintaining harmonious relationships in an unfamiliar environment.

Non-culturally inappropriate individual behavior cause misunderstanding and may lead to violations. This may also make personal and professional life less effective. Usually the individual will have trouble sleeping, always want to urinate, experience physical pain, no appetite and others. In other words, individuals who are not culturally skilled will be difficult to achieve goals. For example, sojourners are more frequent interacting with his countrymen only.[6]

Cognitive Adaptation

This dimension is the result of the affectively and behaviorally aspects that changes individual perceptions in ethnic identification and values due to cultural contact. When there is cultural contact, the loss of beliefs by the individual is inevitable. Individual will have a negative view,

language difficulties because the difference from the state origin, individual minds are only fixated on one idea only, and have difficulties in social interaction.

Affective, behavioral and cognitive adaptation are derived from work in mainstream psychology, and then adapted for language learning. Cognitivism believe every human's activities cannot be separated from thinking process. The most prominent characteristics of cognitive process is the process underlying complex learning. Latest belief on cognitive to learning process defines that learning involve an active, constructive, cumulative, and self-directed process that the mental activities is the key for learners.[7] The learners tend to remember better when knowledge is acquired through distributed practice across various study sessions, rather than through massed practise, although the distribution of time during any given study session does not seem to affect transfer into long-term storage.[8]

Since learning is goal-orientated, the learner must somehow organise his or her resources and activities in order to achieve the goal of learning. In view of the cognitive approach to learning, the notion of effective language learning requires the active involvement of the learner in the process. The approach emphasizes learning as a process resulting in an extension of meanings the learner is capable of, as something that learners do, rather than being done to them.[9]

Moreover, the active nature of the way individuals learn is also seen as essentially interactive, that is social: in the process of personal construction of knowledge learners negotiate meanings. In this view learners are active and responsible participants, not passive responders. Personal experience is seen as the focal point of learning.

This is the example of how sojourners students cognitively understand the different belief about facing teacher. Cortazzi and Jin (1997) in Chang

argued that Chinese and British students are likely to have different assumptions about student and teacher roles. In the view of Chinese students, a good teacher should be a knowledge model who teaches students what and how to learn with clear guidance, and even a moral model who sets an example for students to follow and takes good care of students. Correspondingly, a good student in China should respect teachers and learn by receiving instead of criticising what teachers say. However, from the perspective of British teachers, a good teacher should be a facilitator and an organiser, helping students to develop creativity and independence. Students are expected to participate and engage in dialogue, and engage in critical analysis instead of just absorbing what the teachers say.

Relevant Studies

A study in the relationship between international students' cross cultural adaptation and dominant language in Taiwan was done by Chang.[11] This study focused on the relationship between the linguistic competence acquired from studying abroad and the level of cross-cultural adaptation, as well as how they affect each other. The dimensions of scale include —studying and researching[, —health and emotions[, —interpersonal relationship[, —local culture[, and —financial conditions[. It was found that international students' cross-cultural adaptation concerning the dimension of —studying and researching[was closely related to their Chinese proficiency.

Meanwhile, Ren and Mao also conducted a research on the factors affecting cultural adaptation of Chinese students in Uppsala University.[12] The factors related how Chinese students adapt to the new situation are, social and personality factors, previous cross-cultural experience, cultural distance, expectations and cultural identity. They are based on the model proposed by Ward.[13] Both studies are based on model of acculturation process from Ward. To give more elaboration of how actually students adapt, this study is based on the culture shock dimension that is also proposed by Ward in psychological and sociocultural adaptation.

II. METHOD

One of methods in qualitative research is case study. It is used to study in-depth a unit of a person, a family, a social group, a social institution or a community for the purpose of understanding the important part of life cycle of the unit. The interaction between the factors that explain present a unit status or a unit developing influence is analyzed deeply in a case study.[14] A case is selected because its typicalness. The subjects in this study is considered as typical since it only examines one subject, Thai students in English program. They are special case in English teaching and learning process. The data taken as the result of researcher's observation. Furthermore, a deep interview with the subjects, friends and lecturers is utilized to provide the data. Some recorded data, such scoring or tests would be very useful as well.

Overall, there are 33 students from Thailand studying in IAIN Kediri. They are scattered to some departments in the campus. Only 10 of them are placed in English department. 2 students are in the first semester, which means their first year in IAIN Kediri and 5 students are in the third semester, and three in the seventh semester, thus they have different period living in Indonesia generally and studying in STAIN Kediri partly. All of them are women.

The instruments were based on the model used by Chang (2011) in the form of Questions checklist. The questionnaire includes four dimensions of language and cross-cultural adaptation, they are dimension of studying and researching, health and emotions, social life, and local culture. Each dimension consists of some items.

IV. RESULT And DISCUSSION

Some narrative stories are derived as the result of interview with the subjects. Every one has their own experiences in adapting and adjusting their pedagogical experience in IAIN Kediri. However, merely asking for mutual understanding is not enough without understanding the processes involved. Recently, as a result of the rapid increase in the number of Thai students, lecturers have been becoming more realize of pedagogical differences in one another's culture.

Based on the interview with In all, there were 10 Thai students of English Department in IAIN Kediri who participated in this study. All of the students are female (100%). 3 students are 23 years old, 5 students are 21 years old, and 2 students are 18 years old. Meanwhile, related to the language proficiency, the students have not studied Indonesian language before they study English at IAIN Kediri. They master both Malay and Thai language. Only little knowledge of English in level very beginner learners.

Table 1: Dimension of Adaptation

Dimension	Items	No
Studying and Research	I have been feeling happy since the first time I studied at English program at IAIN Kediri	3
	My study achievement is better	6
	I am satisfied with the result of study	4
	I understand the lesson clearly	2
	I enjoy the process of learning in the classroom	5
	I can easily understand English in the classroom learning from beginning	0
	I feel easy reading books in English language for my chosen course	0

Physical and mental health & emotion	I have had good health since the first time came here	6
	I have had a good health recently	2
	I do not feel anxiety about weather	10
	I have stable mood	9
	I often feel homesick	8
Social Life	I have many local friends	8
	I only have friends from my countryhome	2
	I often get along with many local friends	3
	I do not have difficulty in communication with local people	1
	I can communicate well with the lecturers	5
	Overall, I am satisfied with the local life.	9
Local Culture	I understand and can integrate Indonesian culture in my life	8
	I enjoy watching traditional show in Kediri	4
	I can eat Indonesian food from the begining	2
	I can eat Indonesian food recently	8
	I can easily understand Javanese language	0

There are some points that can be concluded from the interview with Thai students. Overall, time is the key factor of language and crosscultural adaptation that experienced by Thai students of English Department at IAIN Kediri. The clear distribution of closed questions answer can be seen on the table. However, more specific answers were gotten from the open interview with each student.

Related to affective dimension of culture shock and adaptation, seen from four dimension of adaptation, it can be concluded that most students got difficulty in the beginning coming to Kediri. Every student speak in one way that they were shocked by the use of Javanese and English language both

outside and inside classroom. Affectively, the negative feelings come from the things that absolutely different from their experience, such as English and Javanese language. On the contrary, the positive response reveal from anything in common between Indonesian and Thailand culture, e.g food, weather, culture; like religion and profession.

Behaviorally adaptation can be seen from 8 students can have local friends. Unfortunately, most of them need time to adjust their life. Proven from only 2 students answer that they can understand the lesson well. These 2 students are they who have been more than 3 years in English program. Thus, the rest may encounter really hard time to be students of English department. So far, for the social life, mostly they get easy, since Indonesian people are friendly. The unfortunate condition revealed from one student who said that in the beginning, there were no local students want to be in one project group with Thai students. However, this can be solved if the lecturers themselves put Thai students among the local students. The last, communication is the key for them to adapt. They have struggled so hard in order to understand English and Javanese language.

Cognitive aspects can be seen from overall responses. The identification of similar culture, the English language acquisition, the understand of local culture are derived by Thai students in a second year of living in Kediri. Interview result show that, there is no quite different perception on how teacher treat stuents vice versa, because exactly all of Thai students are muslim. In which we know that the institute is based on Islamic teaching. The more the similarity of the culture, the more the students identify and aware the difference to be overcome in learning foreign language. Finally, the English acquisition can be reached sooner. This only comes from one side, the other side is the role of lecturers to make the International students get easily study new things in absolutely new environment.

Culture shock and adaptation model (ABC) from Ward is seen implicitly in how Thai students put themselves in IAIN Kediri environment. Thai students did not attain any hard obstacles due to the similarities of Indonesian culture and Thailand culture. The finding of this study have supported the previous study by Ren and Mao where they observed the factors affecting Chinese adaptation in Swedia. The close relationship is one of the key factors for students in order to be success in adaptation result on the academic success.

Suggestion

The result of current study effects significantly to the pedagogical view toward international students. The unfortunate situation forces the education practitioner to work harder. Thai students who do not have a sufficient background knowledge of English trapped in the

situation where they have to master English well. On the other hand, their understanding of local language is so limited. The cognitive domain work twice. Once they have to understand local (Javanese) language, in the same time they learn English. This make the teaching learning process does not run well.

IV. CONCLUSSION

Realizing the existence of international students in IAIN Kediri, a rethinking language learning curriculum in view of the affective and cognitive process involved in learning as well as the behavioral factors contributing can provide effective guidance for redesigning of instructional contexts. Through deep interview given to Thai students, it was revealed that they got so much difficulties in the early living in Kediri. Even more, Thai students who are studying English, they struggle harder than the others. When their friends in non-English department fight for customizing Malay to Indonesian or vice versa, they work double as they try hard when their lecturers speak bahasa Indonesia in one side, on the other hand they also speak English. This situation is even harder hearing the code mixing language – Indonesian, Javanese-English- done by their friends and lecturers.

As mentioned earlier, one of the key in successful language learning in cultural awareness. This job not only put on the teachers or lecturers shoulder, but also depend on how students put them self in new culture where they are learning. Thus the second or foreign language acquisition can be reached faster.

This study need so much improvement, especially in method of collecting data. Hope the next researcher can do the wider range of the International students who study in Indonesia from every different university.

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The Concept of Idealism Philosophy in Islamic Education According to Imam Al-Ghozali

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Abstract -- The philosophy of Idealism is a philosophical system that emphasizes on the importance of the superiority of the thoughts (mind), soul or spirit rather than another material things. The nature of human is a soul, a spiritual, that was called "mind". Mind is a form that is able to realize his world, even as a the catalyst and driving force of all human behavior. The role of philosophy in education is to provide a reference in the philosophy of education in order to create an ideal education expected by a society or a nation. Throughout history, the philosophy of idealism is also related to religion, because they both focus on the spiritual aspect. Thus the study of the flow of philosophical idealism towards Islamic education includes issue objectives of Islamic education, Islamic education curriculum, the teaching methods of Islamic education, the learning material of Islamic education, learners' position in the Islamic education and the role of educators in Islamic education.

Keywords— *Idealism Philosophy, Islamic Education, Imam Al-Ghozali*

II. INTRODUCTION

Education is a planned thing that has a function to develop the potential that exist in the humans to be used for the perfection of his life in the future. Seeing in the perspective of Islam means that to form human beings into a fully human and create a form of ideal society in the future.

Philosophy as the master of science is able to answer any questions and problems. Ranging from problems related to the universe until the human problems and all the problems of their lives including the world of Islamic education. The role of philosophy in the education world is to provide a reference of the field of educational philosophy in order to embody the ideals of education that expected by a society or nation.

Idealism is an ideology that the highest knowledge and truth as an idea or sense of human thought. So that's something that can be realized on the basis of human thought. In the context of education, idealism is an ideology that greatly contributes to the advancement of education. The following will be discussed further how the implications of idealism in the world of education

in general, but more particularly on Islamic education.

II. METHOD

Seeing the implicit meaning of the title and the matter that examined, this research is including the kind of literature research with a qualitative approach, that is research that does not hold the calculation data quantitatively [1].

According to Noeng Muhadjir the methods of data collection used as literature research is a method of documentation, then this research talks about data variables in the form of books, notes, transcripts, newspapers, magazines, journals, and so on. While the data analysis technique chosen is descriptive analysis by using a series of logical thought that can be used to reconstruct a number of concepts into propositions, hypotheses, postulates, axioms, assumptions, or to construct into a theory [2].

RESULT

A. Biography of Imam Ghazali

Since childhood Al-Ghazali was known as a child who loves science and the truth seekers, then it no wonder that since childhood, he has studied with a number of teachers from his hometown. His childhood begins with learning Fiqh [3]. On the famous scholar named Ahmad Ibn Muhammad Ar-Razakani then learned to Abu Nasr al-Isma'ili in Jurjan and finally he returned to Tus again [4].

As an illustration of his love of science, will be told in one day on his way back to Tus, he and his friends were confronted by a herd of robbers who then seized their property and needs they bring. The robbers seized Al-Ghazali bag which contained the books that he loved, and then with great tolerance he asked the robbers to return his bag, cause he wanted to get a wide range of sciences contained inside. The robbers felt so sorry and pity on him, returned the bag. And after that, he became more and more diligent in studying and understanding the content of his books and trying to practice them. Even he always keeps the books in a special safe place [4].

After studying at Thus, he then continued his studies at Naysabur, where he was a student of Al-Juwaini Imam Al-Haramain until his teacher died. From him, he learned Kalam Science, Ushul Fiqh and the other religious sciences. During this period, he worked hard to finish his studies briefly. His teacher boasts and entrusts his position to him. He guides the students to represent his teacher while writing a book. With his outstanding intelligence and willingness to argue everything that is not in line with the clear reasoning, Al-Juwaini then gives the predicate bahrūn muḥriq.[5]

From Naysabur, in 478 H / 1085 M, Al-Ghazali then headed to Mu'askar to meet with Nidzam al-Mulk, who was the prime minister of the Sultan Bani Saljuk [4]. With the more Al-Ghazali's name rising, Nidzam al-Mulk then ordered him to go to Baghdad to teach in Al-Madrasah An-Nidzamiyyah, where everyone admired his opinions that eventually became the Imam of the population of Iraq, after becoming an Imam at Khurasan. However, in the middle of his fame as a scholar, on the other hand at this time he experienced a phase of skepticism [5] which made his situation upside down. He then left Baghdad with all the positions and the luxury facilities given to him to concern himself with piety [3].

The journey then continues towards Damascus where he spent a lot of time on his mission, worship and religious retreat. From here he then headed to Baitul Maqdis to perform the pilgrimage. Afterwards, he then returned to Naysabur at the insistence of Fakhrul Mulk, the son of Nidzam Al-Mulk to teaching again. It's just that, he became professor in another field or study, unlike the old one. During his second period of teaching, he was also one of religious scholars and the Sufism as well as an expert advisor specially in religious field [4].

After teaching in various places such as Baghdad, Syam and Naysaburi, In 500 H / 1107 M, Al-Ghazali then returned to his yard, profoundly devoured, instilled fear in his heart while filling his time by teaching the madrasahs he founded next to his home for the students of science and place khalwat for the Sufis. And on monday, 14 jumadal akhirah 505 H / 18 december 1111 M, Imam Al-Ghazali passed away in his birth, Thus at age of 55 years [6].

B. The Essence of Idealism

Etymologically, the Idealism word comes from the English language that is Idelism. This term was first used philosophically by Leibniz in the early 18th century. Leibniz uses and applies this term to Plato's thought that contradict Epikuros materialism. Idealism is the key to get into the true nature of reality [7]. From the 17th century until

the beginning of the 20th century, this term has been widely used in the classification of philosophy.

The philosophy of Idealism is a philosophical system that emphasizes the importance of the superiority of the thoughts (mind), soul or spirit rather than other material things. The nature of human is a soul, a spiritual, that was called "mind". Mind is a form that is able to realize his world, even as a the catalyst and driving force of all human behavior.

The doctrine of idealism has deep roots in the history of human thought. The first roles play of Idealism in the tradition of philosophy in Plato's hands, who suggested a certain theory about the sense and human knowledge, this theory is known by the name of "the theory of Platonic forms", Plato's idealism does not mean to abandon the empirical knowledge and objective realities which is not dependent on the region's conception in knowledge, but Plato confirms the objectivity of rational knowledge that transcends empirical, asserting that the rational knowledge of general forms, such as knowing the idea of human, water, and light has an objective fact that does not rely on the process of sense [8].

The flow of idealism is identical with nature and the environment that it gives rise to two kinds of reality, first seen, that is what we experience as living beings in this environment as there are coming and going, some living and dying, and so on. Second, the true reality, which is the eternal and perfect nature (idea). The whole idea and thought in it have pure and original values, then its absoluteness and arrogance are higher than it looked, because the idea is a substantial form.

Thus Idealism is the flows of philosophy which considers or views the idea primary and secondary materials is, in other words consider the material from idea or created from an idea. Idealism is called the idea whereas the world is considered mortal without any ideas that become the purpose of life.

C. The Philosophy of Idealism in Islamic Education According to Imam Ghazali

The influence of Idealism philosophy in Islamic education can be seen from the various aspects related to Islamic education, including educational purposes, curriculum, learners, educators, educational materials, learning methods and Islamic educational tools based on idealism philosophy that embraced by Imam Al-Ghazali.

1). The Purpose of Islamic Education According to Imam Ghazali Perspectives of Idealism Philosophy

In detail the educational purposes of idealism are based on three things, the goals for the individual, the goals for society, and the purposes

related to God. The education of idealism for the individual aims so that students become rich and have a meaningful life, have a harmonious and colorful personality, live happily, be able to withstand the life pressures, and in the end expected to help other individuals to live better.

The goal of idealism education for social life and society is the necessity of human fellow fraternity. Due to the spirit of brotherhood there is an approach of one person to another. One does not merely appeal to one's personal right, but one's human relationships with one another are framed in the relationship of humanity with each full understanding and mutual affection. While the synthesis purpose is intended as a combination of individual goals with social as well, which is also expressed in life related to God.

It is also reinforced by Al-Ghazali regarding the purpose of Islamic education that should lead to the realization of the religious and moral goals, with the point of emphasis on the acquisition of virtue and taqarrub to God and not to seek a high position or gain the glory of the world.

The thought of Al-Ghazali's in education does not ignore the balance between the world and the hereafter. It can be seen from the purpose of education, that is, to be learned by human beings, not just learned, but also practiced by them in daily life. Learning science is not merely for the knowledge itself, but as a form of worship to God. It also achieves the purposes of Islamic education today.

So it can be concluded that the purpose of Islamic education according to the flow of Idealism is: (1) Purpose of studying knowledge solely for science itself as a form of worship to God, (2) The main purpose of Islamic education is the establishment of akhlaq karimah, (3) to deliver to the learners to reach the happiness of the world and the hereafter.

2). *The Learner's Rankings According to Idealism Philosophy of Imam Ghazali*

Al-Ghazali against learner's uses the terminology, such as al-shoby (children), al-mu'alimin (students), and Thalabul al-ilmu (students of science). Thus the intended learners (students) are people who are experiencing growth and physical and spiritual development.

Thus the flow of idealism sees learners as a personal being, as a spiritual being. Those who adheres to idealism always show that what they do is an expression of their beliefs, as the central center of their personal experience as a spiritual being.

The role of the educator of Philosophy Idealism according to Imam Al-Ghazali

According to Al-Ghazali the role of educators in Islamic education is someone who is trying to guide, improve, refine, and purify the

heart so that it becomes closer with his Khaliq. This assignment is based on the view that humans are noble creatures. For that reason, educators in the Islamic perspective to implementing the educational process must be directed to tazkiyah an-nafs aspects.

The philosophers idealism had a high expectation from the teachers. Excellence must exist from the teacher, either morally or intellectually. There is no one else that is more important element in the school system in addition to the teacher. Teachers should be "cooperate with nature in the process of combining human, are responsible for creating an educational environment for students. While students are free to developing their personality and talentsl.

The same way of thinking with the philosophers idealism over Al-Ghazali describing the duties and responsibilities of professional teachers, are:

Teachers are the parents for their students;

Teachers as the heir of knowledge of the prophet;

Teachers as a guide and mentor of religious for their students;

Teacher as a figure for students;

Teachers as motivator for students;

Teacher as a person who understands the level of intellectual development of students;

Teachers should understand talent and the students' psychological or psychiatric according to the level of difference of age.

Al-Ghazali as follower a flow of idealism, the educational characteristics that may implement Islamic education are as follows [9] :

Teacher has to love his students like loving their own children;

Teacher does not expect material (wages) as the main goal of the work (teach), because teaching is the inherited task by Nabi Muhammad SAW. While the wages is in the formation of the learners who raise the science that is taught;

Teacher must remind disciples for its goals in demanding science not for self-pride or seek the personal benefits, but to get closer to God;

Teacher should encourage his students to seek the useful knowledge, which is the science that brings to the happiness of the world and the beyond;

In front of his students, teachers must provide a good example, such as fine, polite, gracefully, generous and other praised trees;

Teacher should teach lessons that suit the intellectual level and the power of the students;

Teacher had to practice taught, because he became an idol in the eyes of his students;

Thus, the role of the educator didn't enough to teach students on how to think, it's very important that what students think a reality in deed. Teachers

here should have the moral and intellectual superiority.

The Islamic Education Curriculum According to Philosophy of Imam Ghazali's idealism

Simply put the curriculum means that the subjects given to the students to instill a certain amount of knowledge in order to be able to adapt the environment. The curriculum is structured in order to achieve the objectives that have been determined.

The curriculum according to the flow of Idealism based on the principle: first, a rich curriculum materials, sequential, systematic and based on specific targets that could not be reduced as a whole of knowledge, skills, and attitudes that apply in a democratic culture. Second, the curriculum emphasizes on proper mastery of the content or material of the curriculum [10].

Of the principles created the guidelines in formulating curriculum of idealism that basically should be in accordance with the needs and abilities of the child, priority on "essential studies" scientific method, which includes world and organisms an-organic human environment (human, cultural, environmental and nature), as well as appreciation against art.

Furthermore, in the curriculum of the school is considered as the Centre of his intellectual training and character building, who are formally trained and developed existing soul power [10]. Idealism education curriculum contains a liberal education and polytechnic education/practical [11]. liberal education intended for the development of the capabilities of rational and moral. Polytechnic education is intended for the development of the ability of a life/job.

As for Al-Ghazali's views about Islamic education curriculum can be understood from his views about science. He divided science to the forbidden and that must be learned by students into three groups, namely [4] :

science that deplorable, much or little. This science there are no benefits for the people of the world and in the hereafter, such as witchcraft, astrologers and quackery. When science is learned will bring evils principle and would cast doubt on the existence of the truth of God. Therefore it should stay away from.

science that commendable, a lot or a little. For example, the science of monotheism and religious knowledge. This science when studied will bring a person to the soul of the sacred, of humility and ugliness as well as it can be closer to God.

science that a certain level on the laudable, that should not be deepened, because this

knowledge can bring riot faith and ilhad (negate God) such as philosophy.

The third group of the science, Al-Ghazali divides the science into two groups again, the science is seen in terms of importance namely [9] :

Science that must be known by all, namely the science of religion, science is predicated on the book of God.

the science that study the law of obligatory kifayah, namely the science used to facilitate the worldly affairs such as the sciences count, medical sciences, engineering sciences, agricultural sciences and industry.

To sum up, in formulating curriculum of education according to the flow of Islam idealism, it should correspond to the needs and abilities of the child, priority on "essential studies". The curriculum used in the education of British idealism should be focusing more on training and development resource that already exists on the child as rational capabilities and morals as well as the ability of a life/job.

Learning Material According to Imam Ghazali's Idealism Philosophy

According to Usiono [11], knowledge be taught in the school must have to quality of the intellectual. Philosophy, logic of language, and mathematics will obtain a big portion in school curriculum. That is concept of education be based on idealism view.

In the line with the above opinion, according to Al-Ghazali declare that the knowledge became learning materials in education of religion can be divided into several points of views that are [12] :

a) Based on knowledge sector consist become as two sector:

(i) Knowledge of syari'at as valid knowledge, that knowledge of Ushul (knowledge of principal): knowledge about Al-Qur'an, Sunnah Nabi, opinion of companion and ijma'. Knowledge about Furu' (subdivision branch): Fiqh, knowledge about the spiritual and morals. Knowledge about introductory (mukaddimah): knowledge about the language and grammatical. Knowledge about complement (mutammimah): knowledge about Qira'at, Makhrij, al-Huruf wa alAlfads, knowledge about tafsir, Nasikh, and Mansukh, lafaz according to general and specific, lafaz nash and zahir, and biography and history of the struggle of companion. (ii) Un/non syari'at knowledge consists of : admirable knowledge : knowledge about medical, knowledge about calculate and dan knowledge about the company. Knowledge can be allowed (doesn't adverse) including cultural, literature, history, and poetry. Ignoble knowledge (adverse): knowledge about enchantment, magic, and specific part from philosophy.

b) Be based on object, knowledge be divided

become as three group: (i) Ignoble knowledge by absolutely, fewer or many as magic, azimat, nujum, dan knowledge about enchantment . (ii) Admirable knowledge, fewer or many, but if more admirable, as knowledge of religion and knowledge of the pray. (iii) Knowledge in specific degree has admirable point, but if understood it's with ignoble point, such as from naturalism philosophy. According to Al-Ghazali, the exhaustive knowledge will give rise to mind confusion and hesitation, and eventually tend to encourage a human to atheist and reluctant. (iv) Based on status of law to learn could be connected with useful value and can be classified into two points, first, *Fardhu'ain* must be learned by each individual. Example, knowledge about Religion and subdivisions and second, *Fardhu kifayah*, knowledge it's not be obligated to each Muslim but, it is an obligation for Muslims to learn it.

According to the flow of the idealism, Mathematic becomes a very useful instrument for understand the knowledge or logical abstract. History and literature have high position because this group heir value of moral, culture style, and heroism or about the life. Knowledge of nature and science next priority because provide an explanation about relation of cause-consequences. The students have to understand a literature, idealism regard need a good human configuration. For that, student not only is encouraged for expand a skill and mind but also instill a goodness values by instinct inside a soul [11].

About the material of religion education, Al-Ghazali declared that Al-Quran with content is knowledge. This Context is useful for life, clean of soul, and it improves of moral and close up to God.

Islamic Education Methods According to Imam Ghazali's Idealism Philosophy

According to Plato's best method for learning is dialectic. basically, Plato believe that we can expand our ideas with the manner to reach a synthesis and universal concepts, method of dialectic tries to integrate a various learning process that conceived a sense [13].

The teacher is not enough to teach students about how the manner of mind, based on important that is what is student's think become as reality within behavior. Method of learning advisable of encourage for expand a firmament, encourage of reflect mind, encourage a choice of self-character, give a performance skill or ability for logic mind, give a chance use knowledge for moral and social problems, increase a interest about the context of subject and encourage for student to accept values of human civilization.

Method of education is classified by Al-Ghazali into two parts, namely [12]:
First, specific method about religion education, this method have orientation to knowledge of aqidah

because religion education in reality is more hard than other education, because religion education explain about the intuitive problems and more count heavily on student's personality formation.

Second, method of specific about the education of morals, according Al-Ghazali explain that "such as doctor, if giving patient with one kind of medication alone, certainly it's will kill more sick people, as well as the teacher, if indicate a route to student with the one various from training, certainly will decimate them spiritual but regard about student's disease, age condition, body's character and training about what is enabled that. Based on that reason, it is better to construct the trainingl.

That evidence, Al-Ghazali affirm that to make a diagnosis and kid's improve an ignoble is prescript for do otherwise act. As if sick body's medicine is with the manner descend a fever or medicine is to thro away that disease.

So, it can be concluded that method of learning idealism is consistent with idealism concept, method of dialectic, dialogue, discussions and other method is used expand student's mind.

IV. CONCLUSION

Idealism is flow of philosophy regard or considers an idea that primary and material is secondary, with other word regard from idea or is created from idea.

According to purpose of education about concept of idealism more direct to development of idea and student's self-personality, relevantly with the purpose to personality, society, and life that relates to God. Participant's position is free individual in expand the personality and skill of basic consistently to with the talent, interest, and each skill consistently to them age. Material is used for expanding the education of intellectual is knowledge of natural, society, education of technology, mathematics, and education of literature. The materials of education about the moral inside to expand a benevolence is attitude for try reach to self-perfection, equitable attitude, not partiality, attitude of understand sameness to human. Method of learning according to idealism content, method of dialectic, dialogue, discussion and another method can be used to expand the student's thought.

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The Correlation Between Gender and The School of Origin Against Relational Reasoning in Student Validating The Argument Geometry

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Abstract. The ability of the stated relation pattern or the available information is a form of relational reasoning, of which there are four types of relational reasoning i.e. analogy, anomaly Friday, antinomy, and antithesis. The purpose of this research would like to see the correlation between the origin of the school student while in high school and gender against a type of relational reasoning owned in validating the argument geometry. This research is quantitative research of type korelasional. The population was two-semester students of elementary school teacher education IAIN Tulungagung, Indonesia. The sample of this research is the 143 students who come from Department of Science, Non Science, and vocational schools. This type of reasoning relational views by giving tests to validate the argument geometry. The results showed that: 1) there is no correlation between gender against relational reasoning student prospective primary school teacher; 2) there is a correlation between the origin of the school against relational reasoning in student validates the argument geometry. Other researchers can conduct research with a more varied instrument.

Keywords: *relational reasoning, school origin, gender, argumentation of geometry arguments.*

I. INTRODUCTION

Relational reasoning is the ability to find a relationship from a pattern or flow of information

- [4]. Relational reasoning is of four types, namely analogy reasoning, anomaly, antinomy, and antithesis. [1] - [4]. A person's relational reasoning can occur from children up to the age of more than 80 years [5]. Relational reasoning is reasoning that links one situation to another. There are several factors that influence someone's relational reasoning. Internal and external factors can influence relational reasoning [5]. The age factor can also affect one's relational reasoning because increasing age tends to be followed by an increase in the knowledge possessed that can be linked. Primary school students tend to be dominant in analogy and anomaly reasoning, while junior high school students begin to appear antinomic and

antithesis reasoning [4]. The factor of familiarity with the task and context also influences one's relational reasoning [5]. Gender factors and their correlation to one's relational reasoning have not been studied by previous researchers.

The type of relational reasoning that is owned by a person can be known from the most dominant ability in the four types of relational reasoning [1]. Someone who has a tendency to see an analogy relationship, then the form of relational reasoning is in the form of analogy reasoning. Someone who has a tendency to see a difference, then the type of relational reasoning is anomaly. The same method can be used to identify antinomy and antithesis reasoning. The type of relational reasoning that a person has can be known through relational reasoning tests. The type of one's relational reasoning can be found in the most dominant answer answered correctly. Relational reasoning is an important aspect in human life.

The view of the differences in intelligence and reasoning between men and women is commonly found in everyday life. How is the truth about that? Experts have varied views. Reasoning between men and women is different [6], [7]. Reasoning that is owned by men and women is no different [8], [9]. Reasoning between men and women shows differences in the field of language but there is no difference in mathematics [10]. Women's reasoning tends to be rational reasoning while male reasoning is intuitive reasoning [7]. Based on the opinions expressed by previous researchers it appears that there are no similarities in the results of research on differences in student reasoning in terms of gender. So that in this study it was seen whether there were differences in reasoning reviewed from gender. The subject matter seen was the student teacher's relational reasoning in validating geometry arguments.

Age differences affect a person's reasoning, because with age, knowledge increases by a person, as well as in relational reasoning. A person's age affects the type of reasoning he has [4]. Primary school students tend to have analogy and anomaly

relational reasoning, but when in high school type relational reasoning shifts towards antinomy and antithesis [4]. A person's relational reasoning varies based on age, domain, and context [5]. Other researchers have different opinions. Students' relational reasoning in primary and secondary schools is no different [11]. Based on the results of previous research conducted by researchers, there were no similar results. This study wants to see whether there are differences in relational reasoning in different age groups, namely in prospective teacher students.

Argument validation is one part of the verification process [12]. Formulating coherent arguments and valid evidence is complex for students at all levels because this requires adequate knowledge of preconditions and good class support (Styliano, Blanton, Knuth, 2010). Validation of evidence is easier than in constructing evidence. Because in validating evidence, students do not have to make their own arguments, students simply state whether the arguments provided are true and logical. Students tend to be able to validate arguments even though there may be difficulties in arranging arguments. Because in validating an argument, they can rely on their knowledge and reasoning.

Based on the description above, it is necessary to do research on the correlation between gender and type of department towards student relational reasoning in validating geometry arguments. This study aims to see the correlation between student and gender school origin of the prospective teacher's relational reasoning in validating geometry arguments. The hypothesis in this study are: a) The correlation between school origin and relational reasoning for students of elementary school teachers in validating geometry arguments; 2) Gender correlation between relational reasoning students of elementary school teachers in validating geometry arguments.

II. METHOD

The sample in this study were 143 students consisting of 16 (11%) male students and 127 (89%) female students in semester 2 of IAIN Tulungagung Indonesia. The instrument used in this study is a relational reasoning test in validating geometry arguments. Test questions consist of eight questions, two questions for measuring analogy reasoning, two questions for measuring anomaly reasoning, two questions for measuring antinomy reasoning, and two questions for measuring antithesis reasoning. Problem in the form of multiple choice on material proofing geometry. Students are asked to observe and select the appropriate argument available in answer choices A, B, or C.

Students with analogy reasoning, choose the argument that is constructed analogically, that is proof by giving examples in some cases then drawing conclusions. Students with anomaly reasoning can identify differences in answer choices. In questions number 3 and 4, three answers are provided. There is one choice of answers arranged in a different way from the other two answers. If a student is able to choose correctly on these two answers, this indicates that he has anomalous reasoning. Students with antinomy reasoning are students who can show arguments that do not match the requested evidence. In the answer options provided, there is one option that contains the wrong argument. If a student is able to find it on questions 5 and 6 then the student has antinomy relational reasoning. Students with this type of antithesis reasoning are students who can answer correctly in questions number 7 and 8. The questions in this number require students to choose which of the 3 answer choices in each number are arranged in reverse.

The research procedure is done by: 1) the researcher compiles relational reasoning questions on the theme of geometry argument validation as many as 8 questions. In each type of reasoning are presented two questions; 2) questions are tested to students within one hour; 3) students fill in their identity and school origin, then work on the problem by choosing options A, B, or C which they think correspond to the answers requested; 4) student work is corrected and tabulated so that it can be known the type of relational reasoning for prospective primary school teacher students; 5) gender and school origin are correlated with the type of student reasoning; 6) the results are interpreted and concluded. Data analysis was performed using SPSS 16. The test used was the correlation test of phi and cramer, followed by the chi square test to see the significance. Phi correlation test is used because the scale on the variable x and on the variable y is the nominal scale. The hypothesis acceptance criteria uses the following provisions: If the sign is > 0.05 , then accept H_0 and reject H_a . If the Sign is < 0.05 then reject H_0 and accept H_a .

III. RESULT

Correlation Between Gender Against Student Relational Reasoning

The results of the Crammer and Chi Square Correlation test are presented as follows:

		Relational Reasoning				Total
		Analogy	Anomaly	Antinomy	Antithesis	
Gender	Male	3	4	1	8	16
	Female	16	30	36	45	127
Total		19	34	37	53	143

Based on the table above, it appears that 16 male students can be classified: 3 (19%) analogy reasoning; 4 (25%) had anomaly reasoning; 1 (6%) has antinomy reasoning; and 8 (50%) have antithesis reasoning. Whereas for female students it appears that: 16 (13%) types of reasoning are analogy; 30 (24%) types of reasoning anomaly; 36 (28%) types of antinomy reasoning; and 45 (35%) types of reasoning are antithesis. Based on the table above it appears that the order of the types of relational reasoning from the least appearing in male students is the reasoning of antinomy, analogy, anomaly, and antithesis. Whereas the order of the types of relational reasoning from the least appearing in female students are: analogies, anomaly, antinomy, and antithesis. Antithesis reasoning is the type of reasoning that most often appears in both male and female students. While other types of reasoning differ in sequence.

Symmetric Measures

		Value	Approx. Sig.
Nominal by Phi		.165	.271
Nominal by Cramer's V		.165	.271
N of Valid Cases		143	

Based on the table above, it appears that Cramer's V correlation value is 0.165, which means the magnitude of the correlation is 0.0165. When viewed by the Sign value it appears that the value is $0.271 > 0.05$. This shows that the correlation is not significant. The Chi Square test is then performed as shown in the table below. Based on chi square data it appears that in $DF = 3$, with a 95% confidence level χ^2 value = 3.911 while the χ^2 table value = 7.81. Based on this data χ^2 count < χ^2 table. So the conclusions are: accept H_0 and reject H_a , which means there is no influence between gender on students' rational reasoning. Another review: $\text{sig } 0.271 > 0.05$ this means that H_0 is accepted and rejected H_a , so there is no influence between gender on student relational reasoning.

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	3.911 ^a	3	.271
Likelihood Ratio	4.848	3	.183
Linear-by-Linear Association	.001	1	.975
N of Valid Cases	143		

a. 3 cells (37.5%) have expected count less than 5. The minimum expected count is 2.13.

Based on chi square data it appears that in $DF = 3$, with a 95% confidence level χ^2 value = 3.911 while the χ^2 table value = 7.81. Based on this data χ^2 count < χ^2 table. So the conclusions are: accept H_0 and reject H_a , which means there is no influence between gender on students' rational reasoning. Another review: $\text{sig } 0.271 > 0.05$ this means that H_0 is accepted and rejected H_a , so there is no influence between gender on student relational reasoning.

Correlation Between School Origin Against Student Relational Reasoning

The results of the Cramer and Chi Square Correlation test are presented as follows:

		Relational Reasoning				Total
		Analogy	Anomaly	Antinomy	Antithesis	
School Origin	High School Science	7	14	11	29	61
	Non-Natural Science High School	11	13	18	22	64
	Vacational School	1	7	8	2	18
	Total	19	34	37	53	143

Based on the table above, it can be seen that the number of students with high school origin in

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	12.939 ^a	6	.044
Likelihood Ratio	13.698	6	.033
Linear-by-Linear Association	2.519	1	.113
N of Valid Cases	143		

a. 3 cells (25.0%) have expected count less than 5. The minimum expected count is 2.39.

science majors is as follows: 7 (11%) types of relational reasoning analogy, 14 (23%) types of reasoning anomaly, 11 (16%) types of reasoning antinomy, and 29 (48%) the type of reasoning is antithesis. While the type of relational reasoning for students with high school origin in non-science majors is as follows: 11 (17%) type of analogy, 13 (20%) of type anomaly, 18 (28%) of antinomy type, and 22 (34%) of antithesis type. 1 (6%) was an analogous type, 7 (39%) were anomalous, 8 (44%) were antinomic, 2 (11%) were antithesis. Types of relational reasoning in terms of all students can be explained as follows: 19 (13%) types of reasoning analogies, 34 (24%) types of reasoning anomalies, 37 (26%) types of reasoning antinomy, 53 (37%) types of reasoning antithesis.

Based on the table above it appears that the order of the types of relational reasoning for students with high school origin from science majors from the least is: analogies, antinomy, anomaly, and antithesis. Based on the diagram above, it can be seen that the order of the types of relational reasoning for students with high school origin from non-natural science majors from the least is: analogy, anomaly, antinomy, and antithesis. Based on the diagram above it appears that the order of the types of relational reasoning for students with non-high school origin from the least is: analogy, antithesis, anomaly, and antinomy.

Symmetric Measures

	Value	Approx .Sig.
Nominal by Nominal Phi	.301	.044
Cramer's V	.213	.044
N of Valid Cases	143	

Based on the table above, it appears that the Cramer's V correlation value is 0.301 which means the magnitude of the correlation is 0.301. When viewed by the Sign value it appears that the value is $0.044 < 0.05$. This shows that the correlation is significant. The Chi Square test is then performed as shown in the table below.

Based on chi square data it appears that in $DF = 6$, with 95% confidence level χ^2 value = 12.939 while χ^2 table value = 12.6. Based on this data χ^2 count $>$ χ^2 table. So the conclusion is: reject H_0 and accept H_a , which means there is influence between the school's origin on student relational reasoning. Another review: sig 0.033 $<$ 0.05 this means that H_0 is rejected and accepted by H_a , so there is an influence between the school's origin on the students' relational reasoning.

Discussion

The results of this study indicate that there is no correlation between gender on the type of student relational reasoning. Men and women have similar abilities in doing relational reasoning. This is in accordance with the results of the research of several researchers who stated that the reasoning of men and women is no different [8], [9]. Although other researchers stated that there were differences in reasoning between men and women [6], [7]. Although other researchers state that men are more rational and women are more intuitive [7], the results obtained in this study show different things. Women and men have the same relational reasoning abilities.

Age can be one of the determinants of a person's reasoning ability, the more a person is, the better his relational reasoning ability [1]. Because the more information that has been owned and can be related to each other. The results of this study indicate that the type of relational reasoning of students experiences a shift. The most widely occurring antithesis type reasoning. This is consistent with the results of Jablansky's research which states that primary school students tend to have relational analogy and anomaly reasoning, but when in high school the type of relational reasoning shifts towards antinomy and antithesis.

The most common type of reasoning found in this study is antithesis reasoning. This happens because students already have high analytical skills and can see problems from various perspectives. So that in doing reasoning can think in a way that involves a variety of situation analysis including trying to reverse the situation.

The results of the study also showed that there was a correlation between the origin of the department at secondary school and the type of student relational reasoning. Sequence The type of relational reasoning for students with high school origin from science majors from the smallest is: analogy, antinomy, anomaly, and antithesis. While those from the Non-Natural Sciences high school order from the smallest are: analogies, anomaly, antinomy, and antithesis. The order of the smallest students from Vocational School is: analogy, antithesis, anomaly, and antinomy. Students from high school science and non-science majors are relatively more capable of reasoning by reversing relationships or finding errors in an argument.

IV. CONCLUSION

Relational reasoning is the ability to find relationships from existing situations. Relational reasoning can be in the form of analogy, anomaly, antinomy, and antithesis. The results of this study indicate that there is no correlation between gender on the type of student relational reasoning. As for when relational reasoning is seen from the type of

department when students in high school produce different conclusions. There is a correlation between school origin and students relational reasoning.

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The Education Based Tawheed in Perspective Al-Qur'an

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Abstract—The Education Based of Tawheed on Perspectives al-Qur'an, starting that Tawheed as the most important principle in Islam has very broad implications for all pattern and the way of life of Muslim society. He not only became the framework of faith (frame of faith) for Muslims to Allah SWT, but is also a framework (frame of thought) in discovering the nature of the truth about everything in the universe in form of abstract, potential, or the concrete.

The objective of tawheed based of education from the concept human being applied from terminology, element and the role nor the potential, presupposes the existence of a education purposes leads to the achievement of human personality growth in a balanced, good physical, social, intellectual or spiritual, this purpose means that the education of islam is a personal guidance for muslim who served and realize Allah pretention is in accordance with islamic syariah, and obey the rule for his life in the world and made the hereafter as the main objective of education.

Keyword : *Al-Quran, Tawheed, Education.*

INTRODUCTION

Education today still can not say well, humans find themselves in a global crisis which is serious, that a crisis is a complex and multidimensional facet-faceted touches every aspect of life, health and livelihoods, environmental quality and social relations, economics, technology and politics. The crisis is a crisis in the dimensions of the intellectual, moral, and spiritual, a crisis that is unprecedented in the annals of mankind. [1]

Capra opinion is no exaggeration, especially if dikomparasikan recent situation in several countries in the world, more specifically the Indonesian nation. Everyone would be very surprised with the condition of the nation today. How not, the lawyer actually violates the law. Not to mention the global economic situation is likely to deteriorate. And as we all know, experts in various fields are also not few in number. Rampant corruption, a culture of promiscuity, dishonesty mengkurita, and various forms of other inhumane acts. It is the smallest impact when people make their minds as Lord and confirms the revelation as a guide (Anthropocentrism).[2]

Rampant practice of intolerance and violence in the name of religion can not be separated from the

failure pattern of religious education that is applied to male and female students at the school. Not a few teenagers who were attending school to become an actor radicalism and even terrorism. Therefore, there needs to be a structured effort to improve religious education in Indonesia.

In the spiritual condition of panic, Islamic education strategy developed throughout the Islamic world as a universal mechanical. Consequently munculah groups who reject everything that smelled west, some are even forbidding the takeover of science and technology. So if this condition persists will cause deterioration of Muslims.[3]

Based on the reality of what happened in the world of education, the concept of monotheism should then serve as the basis for education. The concept of God (tawhid) in education in question is a hard efforts and earnest in developing, directing, guiding the mind, the soul, the heart and soul of the introduction (ma'rifat) and love (mahabbah) to Allah. On the other hand, education is a process of socialization into manhood intellectual, social, and moral according to ability and human dignity.[4]

II. METHOD

To express this research problem, using the method of literature, it examines and studying the literature relating to the problems examined. *Maudhu'i* method selected in this study, because this method can be used as a more comprehensive concept excavator.

This study is methodologically seen from the source is a library research (library research) qualitative descriptive. The purpose of his research is exploratory research is research that aims to discover new ideas are quite real in terms of the discovery of a new theory and its influence on the basic philosophy of Islamic education.[5]

Thus this research include the study of philosophical thought. Therefore, the approach used is a philosophical approach (philosophical approach).[6]

III. RESULT

Islamic education is a process that begins when Allah as Rabb al-'alamin create this nature. Furthermore, the educational tasks delegated to the

Prophet and His Messenger to educate people on earth. In connection with that, the Islamic education experts continue to prepare and make a guideline conception of Islamic education in accordance with the development of the times and the demands of human life. There are several reasons people receive assignment from God to do education. Humans are creatures of Allah the most potential. With that potential, he was able to increase the resource itself. Biologically, humans evolved from being physically weak (fetal and infant), being a teenager, adult and then decreased strength, and after it ends in death.[7]

Islamic education has several characteristics: first, Mastery of Science. Basic teachings of Islam obliges seek knowledge for every Muslim and muslimat. Second, the development of Science. Studies that have been mastered and developed to be given to others. Third, the emphasis on moral values in the control and development of science. Fourth, control and development of science, are for the service of God and the common good. Fifth, the adjustment to the development of the soul, and talent of children. Sixth, the development of personality and penekanaan in righteous deeds and responsibilities. With characteristics such education was evident superiority of Islamic education compared with other education. Because, education in Islam have direct ties with the values and teachings of Islam to govern all aspects of human life.[8]

Making monotheism as a pattern or concept of education and learning, in fact desired is that the learners can gain spiritual knowledge. What is meant by spiritual knowledge is knowledge of the spiritual order. In the classification of knowledge of Islam throughout history, knowledge of monotheism has always been a form of supreme knowledge and the ultimate goal of all intellectual pursuits.[9]

Tawhid as the format and guidelines that education and learning can be more focused in achieving the desired educational goals and so that learners can perform and behave positively based on the concept of monotheism. Education based on the strength of spiritual knowledge will be given its own color to the knowledge and practice of learners. So that efforts to make education monotheism as a paradigm for Islamic education is one thing that ought to be realized, because the education of monotheism is a means to create human beings who have the knowledge, experience and mental and spiritual strength intact.[10]

In the process of Islamic education, the human aspect becomes a very important part to note, because in fact education is the process of humanizing and civilizing human. Therefore, man's place in the context of education is very noble and very central as objects and subjects of education as

well. As a creature of God endowed with knowledge, humans actually carry out the mandate to spread the knowledge gained to the next generation, of course, through the educational process. Thus science is developed should remain based on the values and principles of the Islamic faith, and scientific spirit in accordance with Islamic teachings.[11]

III.1. Aspects Fitrah

In the understanding of Islamic theology, every person is born in a state of purity. Personal purity was called fitrah (Q.S. al-Rum 30: 30). Fitrah is a natural innate tendency towards good and submission to God Almighty. Islam also called the religion of fitrah (Q.S. al-Rum / 30: 28-29) because Islam in harmony with human nature. Law and its teachings are totally in tune with the normal and natural tendency of human nature to believe and submit to God. For a believer will realize that his spirit had been admitted (rububiyah) before the presence of God on earth. [12]

Fitrah as a concept implies that human beings are created from the nature of good and strong, willing to submit to God and is able to avoid a moral act and live life properly. He also suggests that humans were given the freedom to actualize its original state through the faith of the sacred and the characters are straight, or otherwise deviate from its original state if he consciously rebelled against God (Surat al-Insan, 76: 3; al-Anbiya, 21: 80). According to the teachings of the Koran is the duty of every person to create a conducive environment for the actualization of nature in total. Such responsibility must be widened beyond the individual to the family, society and government. One form of accountability that nature is education. Education is one way to maintain the existence and maintain the purity of the sanctity of self. [13]

Moreover, humans have mental potential, he was able to live with his mental problems that are abstract in the form of symbols, words and expressions to the introduction of the creator. The potential is entirely considered as the direction of its creator so that every human being is able to play its role as Khalifah fi al-ARDL (Q.S. al-Baqarah, 2: 30). Islamic authorities claim that there are four great potential that God has given to man. [14]

First, al-Hidayah Ghariziyat (potential instinctive). The primary potential spawned three kinds of impulse (a) to maintain the integrity and continuity of life as eating and drinking, (b) to defend themselves as angry, defensive or avoid many threats that disrupt their lives, and (c) to develop offspring. Therefore, in every human being, who grew up getting to know the opposite sex to get married later and gave birth to offspring for generations. Third impetus was inherent in the nature of every human being, obtained without having studied systematically.

Second, al-Hidayah Hassiyat (sensory potential). This potential with regard to human opportunities to know anything outside itself. Senses serves as a media liaison between itself and its surroundings. This is manifested in the form of the senses of sight, smell, touch, hearing, and feeling.

Third, al-Hidayah'Aqliyyat (potential sense). This potential is only given to man. Through this man can improve the dignity and quality of him exceed the other creatures of God. With a sense, a person is able to capture something abstract, analyze and compare even able to distinguish between good and bad. Intellect encourages people to create and innovate to create a culture and civilization. Through the human mind is capable of researching, gave birth to a number of science, technology, art, manipulate the environment, and the like.

Fourth, Hidayah al-Diniyyat (religious potency). This potential encourages every man menyem-bah and respect something that he considers beyond himself. In view of the anthropological, the impulse is manifested in the form of trust against supernatural powers (believe in a supernatural being). In primitive societies found their worship of a god or other deities are considered sacred. However simple civilization of human community, urge to serve the superpower remains. This is what is referred to in the Qur'an that Allah nature will never change (Q.S. al-Rum 30: 30).

The fourth potential inside: body, intellect, passion, and spirit is the potential that is given, it appears it marks the basic characteristics of human life. All four should be developed continuously through several approaches (a) philosophical, (b) chronological, (c) functional, and (d) social.

It should be recognized that while our traditional education system is not designed to deal with the challenges of modernity, and the conflicts between the modern educated Muslims and scholars continue in the next election increasing the Muslims. Isma'il al-Faruqi, for example, which has spawned the idea of Islamization of modern knowledge, has now started to feel the results. Al-Faruqi solutions for education dichotomy asserts that modern science can not be considered free value (value free) and that;

III.2. Basic Aqidah Tauhid

Education is a process of socialization into manhood intellectual, social, and moral according to ability and human dignity. Education monotheism, must touch the elements of cognition (knowledge) that makes students be called Hakk ul Yakin about perfection and oneness of Allah. Moreover, monotheism education should also touches on the affective (attitude), with this aspect

will arise in students an attitude of confidence, courageous, humble and social activities.

In the view of Islam, the teachings of monotheism or aqidah (hereinafter referred to as monotheism) placed at the center of Islamic teachings. In the history of Islamic thought, the doctrine of monotheism arranged in the science of monotheism which is also known as Ushuluddin science or the science of the principal teachings of Islam. Science of Tawheed is then placed as a major field of study of learning in the Islamic education system.

Learning field of study, Tawheed is the foundation for learning all subjects, both areas of study that are generally incorporated into the knowledge of Islam or Islamic studies, or field of study general sciences. This means that the learning success of monotheism field of study to determine the success of learning all subjects.

III.3. Tauhid Education Exemption

In general religious outlook of the Muslims, there is a very strong impression that the air-Tawhid simply means faith or trust in God. But when examined more deeply and thoroughly holy book the Koran, the result was not entirely the case.

Belief in God does not necessarily mean Tawheed, because trust in God it still contains the possibility of believing in others as participants in God's divinity.[15]

Belief in God does not necessarily mean Tawheed, because trust in God it still contains the possibility of believing in others as participants in God's divinity. For the perfection of this freedom man must have faith to something right, because life without trust at all is an impossible thing.

Based on the foregoing, the true monotheism is sufficient for the activities of life and human life, as in pandangn Islam, monotheism is the value of the most essential and central, so that the whole movement of human life drawn to the Muslims there. Similarly, the Islamic education, to monotheism, the entire Islamic educational activities imbued with the fundamental norms as well motivated and given added value by ubudiyah interests.

III.4. Tauhid various intelligence Sharpen

As described in the previous chapter, that in general, the Qur'an gives a signal about several elements of human beings, namely physical, al-Ruh al-nafs al-qalb, and al-'aql.

As for al-Ruh, despite our knowledge very little about, can be regarded as something attached to the body as it moves and is an integral part of the human element. Medium al-nafs refers to the understanding of the essence and nature of the human side that has the potential for good and bad. Furthermore, al-qalb, has the duty to decide to

accept or reject something, and al-qalb some are taking responsibility for what has been decided. Recently, al-'aql is something that has activity to understand, comprehend and think that can bind or prevent someone from falling into error or sin.

Picture of the totality of the human implications for the creation of the educational process must complete that not only forms the physical aspect but also the social, intellectual and spiritual.

In other words, the educational process must lead to the establishment pursued in a balanced human being. This can be understood, especially when associated with the concept of education Tauhid in the Quran that basing education in the sense tarbiyah (develop the full potential of gradually), study groups (giving information in humans as intelligent beings), and ta'dib (forming morals). So that the balance of physical-spiritual man coupled with the intellectual and social intelligence can be obtained, either through development potential, scientific inquiry, and the formation of character.

IV. CONCLUSION

In short it can be said that Islam through the message implicit in the Qur'an and Hadith doctrinally strongly supports the development of science. Al-Quran and al-Hadith is a source for science in the broadest sense. The second source of Islam's principal plays a double role in the creation and development of science. First, the principles of the science of Muslims are seen in the Qur'an. Second, Al-Quran and Al-Hadith create a climate conducive to the development of science by emphasizing virtue and virtue. Therefore, the entire metaphysics and cosmology that rises from the content of the Qur'an and Hadiths are the basic construction and development of Islamic sciences.

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The Implementation of Prophetic Education in Students' Discipline (case-study in SDI Makarimul Akhlaq Blimbing Gudo Jombang)

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Abstract – This study is aimed at describing the Implementation of Prophetic Education in Students' Discipline at SDI Makarimul Akhlaq Blimbing Gudo Jombang. This research uses qualitative approach. SDI Makarimul Akhlaq Blimbing Gudo Jombang in providing learning cannot be separated from the ways of the Prophet. The main principle in education at SDI Makarimul Akhlaq Blimbing Gudo Jombang always refers to prophetic education. The limit is that there are not more than 20 students in each class. Especially, the implementation of child prophetic education at home is done through school monitoring, so that students are indirectly always controlled. Controlling is done by the institution and in collaboration with students' parents anytime that makes students are always taught the discipline without burdening. The subjects of this study include principals, teachers councils, children and parents of students. The object of research lies in the students of SDI Makarimul Akhlaq Blimbing Gudo Jombang. The techniques of data collection are done by deep observation, observation and documentation. The results showed that both teachers and students implement prophetic education in applying students' discipline.

Keywords: Prophetic Education and Students' Discipline

I. INTRODUCTION

Education, *Tarbiyah* or *Ta'lim* in Arabic, is a noble work in Islam. Islam is highly respecting for people seeking knowledge, because of knowledge, humans will be able to distinguish between good and bad. And without knowledge, the ignorance will prevail and evil will spread everywhere. Thus, by studying, the status of people will be high up, whether it is in the world or the afterlife.

As the phrase that often spoken "*man arada ad-dunya fa alaihi bil ilmi, fa man arada al-akhirata falaihi bil ilmi, fa man arada huma fa alaihi bil ilmi*" Whoever wants goodness in the world, should he is knowledgeable, whoever wants goodness at the

afterlife, should he is knowledgeable, and whoever wants both, should he is knowledgeable. So, to make things happen, ones must hold knowledge. The more knowledgeable one is, the more noble he should be and the higher the status he should have. The outcomes of knowledge are actions, as the hadith of the Prophet "*man amila bima ulima warratsahullahu ilmu ma lam ya*" [1] "whoever practices knowledge that he knows, Allah will pass on to him the knowledge that he hasn't learned yet. Therefore, to acquire beneficial knowledge is to acquire it in the right way. It is right how to get, and right how it is used, especially how right it used in religious needs so one who practices religious activity can run in accordance with the guidance of the Shari'a.

Recently, education in the perspective of behavioral and ethical outcomes is still very concerning. This can be seen from the juvenile delinquency, which gets restless within days. The manner of the students to the teachers is very poor; especially the students' obligation in respecting the teachers in public places, even the students' discipline performance in the school is also getting worst.

Ironically, with juvenile delinquency case that gets worse, teachers have always been faced with the consequences of violating Human Rights. Since this Human Rights has always been the spokesman to public, which leads the longer episodes of juvenile delinquency problems. This is also manifested by those who have wealth and power to perform some more serious violation. Finally this will result in teachers who should have become moral figure and valued human being be worthless and invaluable.

Therefore, this fallacious education should be well rearranged, by finding a model figure that teaches human to gain humanity. To successfully rearrange this fallacious education will cost time that requires patience but assurance. And that is to

examine the way how the Prophet Muhammad taught about to his companions.

Currently, a very interesting discussion is related to the study of the Prophetic. Teachers begin to discuss Prophetic very often because the best figure is the best to examine the Chosen People. Prophets are men who are chosen by God, so to go deep into their personality becomes very urgent, whether it is their presence in childhood to the time they get the mandate as Prophets and Apostles.

To take a look to education of the Prophets' childhood, they always obtain great tests. God has indeed prepared the Prophets for the tests so that they may learn valuable lessons in their life they have lived, for example the story of the Prophet Yusuf AS in which his childhood was harassed by his twelve brothers until he was thrown into a well and never met a brother and his father named Prophet Ya'qub AS, then the Prophet Yusuf AS was appointed by God to be the Prophet and King, the story of the Prophet Muhammad SAW, his father passed away when he hadn't yet been born and followed by his mother at the age of 6 years and his life continued with his grandfather and uncle, but not long after they were gone as well. Prophet Muhammad's life, in his childhood, was full of challenges and sacrifices. It turns out that the education of the chosen Prophets; they are all filled with misery. None of their lives are accompanied by an all-sufficient life. Those are the picture of the struggle of life of the Chosen People so that God raised them to be Prophets and Apostles as the guidance of mankind.

All-round education experience of suffering and pain in the lives of the prophets and Apostles should be a valuable lesson to follow to become a good man. Because, without experiencing difficulty in living our lives, the empathy and independence of a child will not be formed and make an impression in his heart.

Relating to the context of education in formal schools, that providing extra-tight discipline will provide an understanding related to the needs of students in the future. The more the students are taught the strict and assertive discipline, the more the students will grow that they will do good to their parents and community. One example of the school that implements the prophetic education in the discipline of the students is the Makarimul Akhlaq Islamic School, Blimbing Gudo, Jombang, East Java.

Prophetic Education

Education is also often referred as —*tarbiyah*l.

Tarbiyah is the process in which children become more mature and independent and to be able to deal with the problems that they face. The —*prophetic*l is taken from English word which means prophet hood. So the purpose of this prophetic education is a form of education based on the prophecy or simply education model of the prophet.

This prophetic education is a new term that is interesting to be studied, although the essence of this education is an education that is referred to be an old education model. However, today, humans are so far away from the teachings of Islam, so the study of prophetic education becomes more important. If this is studied in depth, this will show that prophetic education is the same as Islamic education. Islamic education is exactly education based on al-Qur'an and al-Hadith. Both are the source, while the practice is directly practiced by Rasulullah SAW, in his daily life which is also continued by the Companions and Ulama'.

To implement prophetic education, it is expected to prepare five education models:

Tarbiyah Bil Qudwah

Most importantly, education of *bil qudwah* is the main principle as *qudwah* or the role model that is Prophet Muhammad SAW, whether as the role model in the religious activity, moral, trustworthiness, honest, generosity, *tawadlu*”, bravery, etc.

He will not say a thing that he doesn't do. This means his words and his actions are aligned[2]. As it is stated on the Holy Qur'an On Surah As Shaf verse 2–3:

Translation :

“O you who have believed, why do you say what you do not do? Great is hatred in the sight of Allah that you say what you do not do”[3].

Tarbiyah Bil Adah

Islam believes that every child is born in a *fitra* or clean state when they are born to the earth. What makes this child good or bad depends on the parents. if the child is accustomed to filling the good things every day, then the child will be good. Otherwise, if the child is often accustomed to taking bad morals and education, then he will grow up with bad morals. Therefore, parents should direct their children to be aware of the Messenger of Allah[4]. As Muhammad mentioned:

روعنتم نب ديعسو قازر لا ديع هاور (مباريداً و برلخا مكيلها و مكدلوا اومع)

Translation:

“Teach your sons and your family goodness and teach good morals to them”[5].

Tarbiyah Bil Maudidhoh

Education —*bil mauidhoh*l teaches children by giving advice, recalling the noble stories of the previous Prophets' struggles, recounting the misguide of the former people that is taken from Holy Qur'an that teaches and tells stories of many people before the Prophet Muhammad.

Tarbiyah Bil Mulakhadloh

Education —*bil mulakhadloh* provides learning to children on the rights and obligations of the children. Parents should pay attention to the children by monitoring and directing the children not to fall into digression. This is because this is an era where access to inappropriate contents is almost unlimited for children, especially with technological developments that support to do immorality. As it is stated on the Holy Qur'an on Surah At Tahrir verse 6:

Translation:

"O you who have believed, protect yourselves and your families from a Fire whose fuel is people and stones, over which are [appointed] angels, harsh and severe; they do not disobey Allah in what He commands them but do what they are commanded"

Tarbiyah Bil Uqubah[6]

This prophetic education is identical with the education —*bill uqubah* or punishment. This form of education in today's era encounters serious challenges especially those who always speak in the name of Human Right, whereas the purpose of this form of education by providing punishment to students is to make children give up bad things. Ironically, education is now often speaking on behalf of Human Right resulting in children feeling free and over-secured, but the impact is not good for their future.

Students' Discipline

The word —*discipline* comes from the latin word —*disbel* which means followers. Later, it was transformed into the word "discipline" which has meaning a code of conduct compliance. Discipline is an attitude manifested by deed in performing tasks or regulation in accordance with the provisions and time that has been set. [7]

Soegeng Prijodarminto said that discipline is a condition that is created and formed through the process of a series of behaviors that indicate the values of obedience, loyalty, and order.[8] Discipline is a willingness to abide by the regulations and prohibitions. Compliance, in this case, is not compliance because of pressure from outside, but rather compliance based on the existence of consciousness about the value and importance of regulations as well as the prohibitions.[9]

According to Singgih D. Gunarsa, discipline is a necessity in teaching children so they will easily:

- Acquire knowledge and social understanding about other people's property.
- Understand and be able to perform obligations and be aware of understand prohibitions.
- Understand good and bad behavioral actions.

Learn to control desires and perform specific things without feeling threaten with punishment.

Sacrificing their own happiness without other's attention.[10]

The purpose of discipline according to Rimm is to direct students to study how to perform good things as preparations for their future when they need it most.[11]

The advantages of discipline in learning according to Yusuf are as follows:

- a. Students will be able self-disciplined and control themselves even without any teachers around.
- b. Students will be more compliance to the regulations.
- c. Students will accustomed to following regulations.[12]

II. METHOD

This research is descriptive and tend to use analysis with inductive approach. According to Denzin and Lincoln (2003), they explain that qualitative research is a study using a natural setting. The data source is the subject of the data obtained. Data in the form of words obtained by informants through interviews, while the data of action or event obtained by observing and recording all actions and events associated with data that the researcher needs.

This data collection is done by using interview technique, observation and documentation. Qualitative data analysis is done by using qualitative analysis of Milles and Huberman model. This model consists of three components that are done in sequence, i.e. data reduction, data presentation and conclusion.[13] This activity is carried out during the research until the data collection is completed.

Moleong establishes the validity of the data required in the data validity check technique. Stages of research conducted in this study are (1) preparation stage, (2) stage of implementation, (3) completion stage.[14] The completion stage is the last stage of the research. All data that has been processed and analyzed by the researcher was written in the form of writing.

III. RESULT

The researcher found the results of research at the Institute of education SDI Makarimul Akhlaq Blimbing Gudo Jombang that the learning process using the prophetic style was very intensive. It can also be seen from the name of this institution that Makarimul Akhlaq's name is not necessarily just a name, but there is also an element of philosophy. The hope of the founders by using the name Makarimul Akhlaq is hoping the moral order of learners can be a daily behavior, which it does not only apply in school but in everyday life at home and outdoors.

The implementation of education in SDI Makarimul Akhlaq Blimbing Gudo Jombang indeed put forward the prophetic or prophetic education model. This can be seen from the limitation of the number of children in a class. Here, in this school, the average limit of one class is only 12-14 students. This students number restriction is derived from the story of the Prophet at the time when the Prophet made the enemy as a prisoner of war and they will be released after they taught companions who cannot read and write. At that time, the Messenger of Allah (may peace be upon him) restricted only 12 persons to each halaqoh or group. Although the fact that it can be more to 17 students in one class, as happened in class 2. Children in SDI Makarimul Akhlaq Blimbing Gudo Jombang also familiarized that every day at 06:45 - 07:15 pm, they do dhuhah prayers and every day they always learn qur'an every hour. These prophetic educational activities are really advised by researchers because the implementation of education is so apparent.

Implementation of this prophetic education also applies to students in homes. Students are also controlled by monitoring books in their homes. So every parent is obliged to fill and control her children at home every day. Included in the contents of monitoring are as follows: always praying before going to bed, saying excuse every passing, praying when going home, praying before meals and after meals, and others. Although parents only check with the answer "yes or no", but in time it also leaves the parents.

Referring to the book *Tarbiyatul Aulad fi Islam* by Abdulllah Nashikh Ulwan, there are five ways to implement prophetic education:[15]

A. *Tarbiyah Bil Qudwah*

In the recruitment of teachers, the main requirement, prospective teachers should be able to understand the al-qur'an readings properly and correctly, because this school requires children to memorize at least 3 juz. Teacher is a role model, then the teacher is also required to understand it. Included in the demands of the Makina Makarimul Akhlaq Blimbing Gudo Jombang foundation is about teacher discipline. The discipline of teachers in this institution is very different from other private institutions. Teachers must enter at 6:45 and return home at 16.00 pm so that all have the same hours. in this school, the lecturers can switch the function as Administrative Staff and vice versa, so indirectly the teacher is expected to be multi talent. This is different from other institutions. Therefore, the discipline of teachers and students can work well.

B. *Tarbiyah Bil 'Adah*

Students in the classroom or at school are always familiarized by performing good behaviors that are controlled by the accompanying teachers of each class. Because education at SDI Makarimul Akhlaq Blimbing Gudo Jombang is

very different from education in general. This school has 2 homeroom teachers. the teacher who teaches and controls every day are 2 homeroom teachers. While the habit at home is controlled by menggunakan monitoring books. Therefore, the discipline of children is very good.

C. *Tarbiyah Bil Maudidhoh*

As is usually done by teachers SDI Makarimul Akhlaq Blimbing Gudo Jombang, they always provide mauidhoh through the stories of the apostles or the Prophets. At the educational stage by telling the story and example of the Prophet. Not a few parents who say, even when they do wrong, they are reminded by their children.

D. *Tarbiyah Bil Mulakhadloh*

This mulakhadloh bil education provides learning to children on children's rights and obligations. SDI Makarimul Akhlaq Blimbing Gudo Jombang constantly controls its students to be obedient to worship. In the monitoring book also included a five-time prayer given several criteria namely; praying on time, praying at the end of time, praying with command, praying without command, praying and not praying.

All of that is controlled, so that children are accustomed to carrying out religious duties in the hope that as they grow older, the children become accustomed. This is because in the qur'an itself gives assertiveness in the affairs of worship. As it is stated on the Holy Qur'an on Surah At Tahrir verse 6:

Translation:

"O you who have believed, protect yourselves and your families from a Fire whose fuel is people and stones, over which are [appointed] angels, harsh and severe; they do not disobey Allah in what He commands them but do what they are commanded"

E. *Tarbiyah Bil Uqubah*

Every early in school, SDI Makarimul Akhlaq Blimbing always gives understanding to the parents, that this SDI did not hesitate to give punishment by giving a whip to students who commit serious violations such as stealing. But the whip is always in the classroom, just to give the students fear to remind them not to do anything negative. Education using punishment is widely applied by the Prophet Muhammad. Punishment at the time of the Prophet of whom had adultery, had syariqoh (theft), punishment yamin (oath) and so forth. All that is done by Rasulullah as the executor of sharia, is none other than to provide learning about discipline so that students grow well and useful for people.

IV. CONCLUSION

Implementation of Prophetic Education will be easy if the handling of education pattern is done in accordance with prophetic role model or prophetic procedures. It doesn't function as a mere phrase or rhetoric only, but it is always manifested with reality. SDI Makarimul Akhlaq Blimbing Gudo Jombang implements prophetic education to control student discipline by holding education pattern of Tarbiyah bil qudwah, Tarbiyah bil 'adah, Tarbiyah bil maudidhoh, Tarbiyah bil mulakhadloh, Tarbiyah bil uqubah so that student discipline is really formed and handled properly.

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The Phenomenon of School Environment-Based Learning

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Abstract— This study aims to analyze first, the meaning of school environment-based learning; second; the implementation of school environment-based learning; and third, the factors behind the school environment-based learning. This research method is qualitative with a phenomenological approach. Research site is located at MIN Sukowesu, Gandusari, Blitar. Subjects were principals, vice principals, teachers, and parents / guardians. The object of research includes the meaning of the subject, the implementation of school environment-based learning and the underlying factors. Data is collected through the following techniques: in-depth interviews, documentation, and observation. To validate the data we use the techniques of credibility, transferability, dependability, and confirmability. Data analysis is carried out in stages and interrelated between data presentation, data reduction, drawing conclusions, and verification. The results showed that; First, learning is integrating knowledge with the reality of the social environment, learning based on the environment is more meaningful, since students build knowledge and understanding of their environment. Second, the implementation of environment-based learning begins with theme / subject mapping, describing learning objectives, and integrating theories with various school environments. Third, factors that influence the effectiveness of learning include teacher readiness, ability to recognize and utilize the school environment, and student responses

Keyword: learning, school environment

I. INTRODUCTION

Home, school, and community environment is a whole unit that has a role in enhancing and developing students' potential [1]. Student interaction in the social environment contributes to shaping the mindset, attitude patterns, and behavior patterns [2]. The intensity and quality of social interaction will determine the quality of students' maturity development. Parents, teachers, and community are equally responsible for realizing the quality of the development of children/ students as their next generation. Therefore, it is important to develop learning patterns that integrate all internal and external potentials to encourage the quality of cognitive, affective, and psychomotor development of students. Schools and social environments are laboratories for the growth and development of potential students, both physical and psychological aspects. Thus, schools should be able to present learning models that can encourage students' development as a whole unit by applying an integrated learning approach.

An integrative approach is a learning approach that utilizes the school environment and social environment as a medium / learning tool as well as its object [3]. This approach assumes; First, all children's social environments (schools, homes, and communities) have a contribution to the formation of their personality, character and intellectual stature. Second, the learning activity encourages students who are active, creative and innovative in finding and solving problems. Third, the learning activity that emphasizes students as subjects, while teachers facilitate, encourage, and direct so that learning goals can be achieved effectively and efficiently. Fourth, learners (students) build their own knowledge, attitudes, and skills. Learning material is a manifestation of the development of themes / topics that have been mapped at the beginning of the academic year by the teachers in the workshop forum. Thus, this learning perceives students as individuals who have authority, independent, and capable in developing knowledge based on direction and good cooperation between teachers and students.

Not many schools have an integrated development concept between parents/home, teacher/school, and community [3]. Schools are managed to be part of a unit that stands alone with the surrounding environment, even if there is a relationship between those three, is usually conducted as formality. The concept of school-based management (MBS), for example, develops three important aspects in school management, namely; financial transparency, enjoyable learning and stakeholder participation [4]. This model has provided a new color in school management, although in fact this concept is similar to the management of schools in the early days of independence, especially the participation and mutual cooperation of the community in building and repairing the school physically. Some schools that implement participatory learning models show that guardians of students/class associations and school committees have attention, involvement, and concern in student learning [3]. Guardians of students are involved in learning outcomes at the end of the semester, making learning media, and also in school activities and programs [5].

Based on the study above, this research is focusing on; First, how is the meaning of school environment-based learning?; Second; how to implement school environment-based learning; and

Third, what factors are behind the school environment-based learning at MIN Sukosewu, Gandusari, Blitar?. This study is intended to describe the meaning of environment-based learning, analyze the implementation of environment-based learning, and synthesize the factors underlying the environment-based learning. Knowledge and understanding of environment-based learning is expected to provide a new pattern in the thinking, views and practices of learning in schools. Aspects of excellent schools include leadership, financial management, learning, and management of external stakeholders. Improving the management of all these aspects will improve school improvement and quality. Learning is not only a monopoly of schools, but also parents and society have a role in improving the quality of learning. Therefore, this research is dedicated to find and contribute a new style in the management of learning in schools.

II. METHOD

This research is qualitative using a case study approach. Case investigation is intended to find out the meaning of environment-based learning and factors that influence it. Research site is located at MIN Sukosewu, Gandusari, Blitar. Research data includes; the meaning of the subject, implementation, and factors that influence environment-based learning. While the subject is the school leader, teacher, student, student guardian/school committee. The data were collected using in-depth interview techniques, documentation and observation. In-depth interviews are the main data collection technique, while observation and documentation are used to deepen the data findings. Measurement of the validity of the data is using some techniques as follows; credibility, transferability, dependability, and confirmability. Data analysis ⁷ conducted in stages and interrelated between data reduction, data presentation, drawing conclusions and verification.

III. RESULT

Knowledge is the result of sensing the surrounding environment. Every element of the human senses can respond to every external stimulant, both vision, hearing, taste, touch, and smell. The results of sensory responses are linked to the cognition system. This cognition system will follow up in the form of reactions, both spontaneously (reactive) and reflectively. Knowledge will function as learning if it is integrated with the reality of its social environment. As understood by the principal, "the school's social environment is an object of learning that is useful for students to build their knowledge" (W.SW01.PPLS01.07072018). Based on observations that the school environment is set in such a way that it appears as a learning museum, every corner and space of the school environment is not spared from design as a medium / learning tool. Meanwhile, social reality is

understood not only in the form of the physical environment, but also in other forms, such as; natural phenomena around schools, social environments, peer groups, the Koran recitation community, interactions in the family, and society. To optimize learning outcomes, students are given the task of observing and discussing events in the surrounding environment that are interesting based on the theme of discussion at school. Facts in the community are understood, reviewed and linked to all subjects in school.

Knowledge built by students based on events in the community or social environment is more meaningful to them. Students build knowledge, they conclude facts based on theories understood in books. According to the vice principal of the curriculum, learning uses an inductive approach, students conclude and build their knowledge (W.SW02.PPLS01.08072018). Knowledge among students is different, according to the way of understanding and previous knowledge differences that are used as the basis for the association to conclude. Differences in perspectives, ways of understanding context, and ways to conclude can enrich knowledge. This model reinforces the view that knowledge is not always singular. The context of a problem can be understood, approached, and concluded with various knowledge, this is what causes meaningful knowledge. It is meaningful for the development and dynamics of knowledge itself as well as for the development of the knowledge of each individual student for future life. This kind of learning can enrich their maturity, because the purpose of learning is to make students more mature cognitively, socially and morally.

According to the deputy head of the school, the implementation of environment-based learning in schools begins with subject mapping, describing learning objectives, and integrating theories with various school environments (W.SW02.IPBL01.08072018). This mapping is intended to know, identify, and define values that are relevant to environmental messages. It is led by the team of curriculum and learning development formed by the principal. In addition to mapping themes, the team also makes guidelines for the preparation and development, which includes; learning materials, learning resources, learning media, and learning evaluation systems. Preparations for the implementation were conducted in the form of workshops attended by all teachers and education staff. In this workshop, each class teacher make a description of the material and the learning objectives in accordance with the theme or subject matter.

The implementation of environment-based learning is conducted by each class teacher. The term of environment here is the social and physical environment of the school and community. According to the principal, the physical environment is always used as a medium and learning tool, for example a

flower pots in front of the class could be made in various shapes and sizes; such as rectangular and triangular shape. They can be used as learning medium of mathematics (W.SW01.IPBL.S.07072018). Various plants are also used as media for learning science, and various slogan patches on the wall are used to deliver environmental preservation messages. There are many activities designed by the school, in order to connect students' knowledge to the surrounding environment, including; class exhibitions that always have environmental themes, home works that always synchronize subjects in the classroom with the availability of various plantations around the house and analyzing biodiversity

The effectiveness of environment-based learning is influenced by three aspects: teacher readiness, ability to recognize and utilize school environment, and student response. According to the principal, an environment-based learning workshop is conducted at the beginning of the year to produce a year-long learning design (W.SW01.IPBL.S.07072018). Furthermore, the results of the workshop were broken down by each teacher into the semester learning plan and the learning implementation plan (RPP). In addition, according to the Science teacher, each lesson plan made by the teacher is equipped with the availability of media and learning tools. Before designing learning development, the teacher should observe the environment to identify biodiversity that might be made as learning tools and media. Environmental orientation is carried out individually and along with students at the beginning of the semester. Such activities, according to the deputy head of the school, are intended to prepare the readiness of teachers and students and to create a synchronization between theories that will be taught with the physical and social environment of students

Learning is a creative effort in increasing the capacity of students to become more mature. The capacity of students that needs to be improved include knowledge, attitudes and skills [6]. The maturity of students is marked by the optimization of their roles individually, morally and socially. An important characteristic of maturity is the ability, willingness and courage to be responsible for the roles [7]. Students independently do school assignments in class and at home, have attitudes which are appropriate to religious and social norms and values, and also play an active role in optimizing the progress of their community. Therefore, the effectiveness of learning is determined to how participants are able to implement their individual, moral and social roles with a set of knowledge, attitudes and skills they have.

Effective learning is a learning activity that encourages students to use all In the diversity of their potential and creativity, so that the learning process is more meaningful for them [8]. Knowledge is built by students by linking theories with facts in their respective environments. We may use problem-posing

approach [1]. In the end, students can build their own knowledge through socialization with others, teachers, community and / or religious leaders. The lack of sensitivity of students and the community in general is due to the lack of learning material which is related to the surrounding social phenomena. Students' sensitivity to their social environment is an important part of learning goals: students social maturity. Characteristics of social maturity include the ability and willingness to take roles in the social environment -no matter how small the role is-, and being responsible for all of their thoughts, attitudes, and behaviors in the surrounding community.

Learning using problem-posing approach requires students to get involved in the real problems faced by their social environment. They directly get involved in their social and physical environment to recognize, collect data, analyze, and find solutions [9]. Nature and its social environment phenomena are objects of learning, while the teacher functions as a facilitator so that students can learn maximally and effectively. Such learning is more enjoyable and could encourage students to be more creative, innovative, and collaborative. Collaboration in teams allows members to show their potential, respect each other, and promote common interests to achieve group goals. Thus, problem-posing learning approaches can encourage students to maximize cognitive, affective, and psychomotor potentials.

The effectiveness of learning is determined by a good classroom management. Good classroom management can be seen from the elements of management, including planning, coordination, implementation, and monitoring-evaluation. Class planning is usually preceded by mapping the themes of learning in the academic year. The mapping results are distributed to complete in odd and even semesters, subdivided into competency standards (SK) and basic competencies (KD) in each semester program. The task of each teacher is to make a description of each SK and KD and formulate the objectives for each meeting according to Bloom's taxonomy standard. Based on these objectives, in each meeting we should prepare the supporting material, both the main material and supporting material, and determine the environment-based learning tools and media. Classrooms and its surroundings should also be designed to optimize the objectives of environment-based learning, so that the physical and social environment around them can be used as media and learning tools.

Effective learning experience in mobilizing and encouraging students' creativity and independence in utilizing the surrounding social and physical environment as media and learning tools has been practiced at MIN Tegalasri, Wlingi, Blitar [5]. The classroom environment is designed as a tool and media for pro-environment learning, flower pots and school corner spaces are planted with various flowers and

plants, and at the end of the year there is a huge exhibition of learning activities based on environments in each class. Parents, guardians of students, class associations, and school committees are actively involved together with students making show stands on the school grounds. Every citizen can visit this exhibition and discussing about these works. Parents, guardians of students and students help each other to work together making a stand, planning content on display, finding material, designing interior and exterior design of the stand and so on.

IV. CONCLUSION

The result of this research shows that; First, learning is an effort to integrate theoretical knowledge with the reality of the social environment, environment-based learning is more meaningful than other models, students build knowledge and understanding of their environment. Second, the implementation of environment-based learning begins with theme / subject mapping, describing learning objectives, integrating theories with various school environments. Third, factors that influence the effectiveness of environment-based learning include teacher readiness, the ability to recognize and utilize the school environment, and student responses.

School management should be pursued in a participatory, transparent and accountable manner. Transparency in school financial management will encourage the increase of participation of internal-external stakeholders. The increasing of the participation of stakeholders makes it possible to create various programs and activities that lead to improve the school quality. School quality is marked with effectiveness in learning, level of participation, and effectiveness of school management.

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The Strategy to Resolve the Funding of Islamic Educational Institutions

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Abstract—Financing strategy is one of effort in order to improve the quality of education and learning. The purpose of this discussion of educational financing strategy is to analyze the factors that affect the cost of education, the types of education costs, financing model that is considered effective, the analysis of weaknesses and advantages, and solutions can be applied in Islamic education. Educational financing is sometimes considered to be a major problem in improving the quality of schools. During this time, financing became a ghost because of confined funding limits. In this discussion, it will be presented a financing strategy that can be applied Islamic educational institutions. Some educational institutions may have a variety of workable solutions. In this discussion, will be focused on financing Islamic education, where there are several solutions that can be an oasis in stagnant pattern of financing that has been applied.

Keywords- strategies, solutions, financing, Islamic educational institutions.

1. INTRODUCTION

Koswara and Triatna, cited in Ulpha Lisni, state that quality education is seen from the input, process, output and outcome. Quality educational inputs are qualified teachers, qualified learners, a quality curriculum, quality facilities, and various aspects of quality education providers. Quality education process is a quality learning process. Quality education output is a competent graduate. Finally, the quality education outcome is graduates who are able to continue to higher education level or absorbed the business world and industry.[1]

The classic problems that are still often occur in educational institutions, especially Islamic educational institutions is a problem of equity of education and education financing that is not maximal application. In State Act of the Republic of Indonesia 1945 stated that every citizen must follow basic education and the government must finance it, so the government should undertake and

organize the national education system. The State gives priority in its budget at least twenty percent

of the APBN and APBD. Funding is used to hire educators.[2]

Strategy is a comprehensive approach related to the implementation of the idea, planning, and execution of activities within a certain period. Financing strategy include strategy planning, implementation, evaluation, and follow-up. Planning strategy has an important role in determining the implementation of the program.[3]

Educational observers say that the problem of education is a universal phenomenon that runs out of every country, both developed and developing countries. The only difference lies in the pattern of strategy as the best solution of solutions, which until now is still a dilemma. Similarly with the problem of education in Indonesia, on the one hand the demands of equity in accordance with Article 31 of the 1945 Constitution must be realized, and on the other hand the quality of education as an effort in producing quality human resources. This is a demand that must be in line with the pace of nation building.[4]

The source of education funding in Islamic institution, so far is not only coming from the government but also from students and society. During this time, the basis for calculating the cost of education makes the source of the government budget as a barometer, thus putting aside family participation. In fact, many other sources of funds get outside the funds from the government.[5]

The amount of budget for education costs and the increasing demand of the public for the education sector is a political consequence in which the professionalism of education management is increasingly needed as an improvement in the quality of education, which in operation has different understandings for each period / stage of development.[6]

II. METHOD

Based on the introduction above, it can be seen there are many problems that need to be resolved. Should, in the world of Islamic education is like other educational institutions, will still need a scalpel to determine the steps to be taken. To answer the problem, this research is done by some approach of case which commonly happened at educational institution. As for the case taken is the problem of funding education in Islamic institution. After that, the case will be analyzed with the purpose of policy making that needs to be done afterwards. Based on the analysis, the potentials of the Islamic institution are to be developed. For example, there are feasible cross-subsidy solutions, government assistance data collection, and optimization of funds gained.

RESULT

A. Education Financing

The term cost of education is often matched by spending on education. The cost of education in this scope has a broad understanding, namely all types of expenditures relating to the implementation of education, whether in the form of money or goods and energy (expressed by monetary unit).[7]

Cost refers to the total opportunity cost of a project (the actual resources used) used for the planning of the catch. Expenditures show on the purchase of goods and services, school building, equipment and others. Invalid spending for allocation analysis such personal costs are the costs sacrificed by students or their families, which are in the form of direct costs (fees, minus the average scholarship value if using government funds, books, etc.) and indirect costs (lost income).[8] As Woodhall said, the expenditure of money only means expenditure represents the purchase of faculty, school buildings and equipment or other goods and services that have an alternative use. [9]

The concept of tuition fees can be distinguished by classifying the costs incurred, namely (1) social and private cost, (2) opportunity cost and moneycost, and (3) explicit and implicit costs.[10] Another expert opinion states that in education there are several categories of tuition fees: (1) direct cost and indirect cost, (2) private cost and social cost, and (3)) cost in the form of money (monetary cost) and not monetary (non-monetary cost).[11] In reality, the classification of tuition fees overlaps, for example there are direct and indirect personal and social costs and in the form of money and not money, and there are also direct and indirect costs as well as personal and social costs in the form of money and not money.[12]

School expenditures relate to school financial payments for the purchase of various resources or inputs of the school process such as administrative staff, teachers, materials, equipment and facilities. Costs describe the value of all resources used in the school process whether it is in school budgets and expenditure or non-cost sourced from the school including the value of each input used, even though the school is donating or not visible accurately in the calculation of expenditure.[13]

Understanding above means extending from micro-things (educational units) to macro (national), including education funding sources, systems and mechanisms for the allocation of funds, effectiveness and efficiency in their use, and accountability of the results as measured by the quantitative and qualitative changes that occur at all levels, especially the school level.[14]

When carefully considered, the cost of education or school expenditure is largely determined by the components of tuition fees whose numbers and portions vary from school to school. Based on the ingredient approach, school expenditure can be categorized into expenditure items in the form of (a) expenditures for lesson implementation, (b) expenditure on school administration, (c) maintenance of school facilities and infrastructure, (d) welfare employees, (e) administration, (f) educational technical guidance, and (g) data collection.[15]

In more detail the utilization of the cost of education in schools is used for various components in the form of (1) salary / welfare of employees (including teachers), (2) professional development, (3) procurement of instructional tools, (4) 5) maintenance / rehabilitation of study room buildings, (6) provision of classroom facilities, (7) procurement of school facilities, (8) coaching extracurricular activities, and (9) school management.[16]

Education expenses above show that overall is a burden to be incurred by the school. On the other hand, there are also costs to be incurred by students or their families in relation to school activities. Therefore, the utilization of tuition fees that occur in a student related to school activities can be (1) entry fee, (2) regular school fees, (3) replicates, (4) extra-curricular activities, (5) (7) books and stationery, (8) school bag, 9) school shoes, (10) transportation to school, (11) school uniform, (12) clothing

school lessons, (15) tour work, (16) incidental donations, (17) student allowance / pocket money, and (18) other expenses.[17]

The concept of educational finance offers two important things that need to be studied and analyzed, namely the overall cost of education (total cost) and the student's learning. Unit costs at the school level are aggregate school-level educational costs, both sourced from the government, parents, and communities issued for education in one lesson year.[18]

B. Exploring the Potential Resources of Islamic Education

Generally, the problems faced by Islamic institution, in this case religion-based schools, are the issue of educational financing. When viewed from the aspect of the cause, the research results of Research Center for Religious and Religious Education in 2006 on education funding in Islamic institution mentions that the difficulties faced by Islamic institution in the management of education financing was originated from the problem of extracting the funds themselves. The constraint is due to the limited source of funds that can be extracted. So far, the main source of funding operations Islamic institution, the average obtained from the tuition fee students. This source of funds is a source of fixed funds, although in nominal terms the actual amount of funds

can be lumped in small numbers, since most Islamic institution are on the outskirts of the city / rural areas and serve education for students from disadvantaged families; such as farmers, laborers, and other low-level employees.[19]

Islamic institution only receive income from SPP components in the amount that is not large because the Islamic institution itself must determine the amount of tuition fee in accordance with the socio-economic conditions of the community in which it resides. However, this has changed in line with the School Operational Assistance (BOS) fund policy provided to all Primary and Secondary Schools. But it can not close the necessary education financing.[20]

Another source of funds is the assistance provided by the community in the form of zakat, infak, and shadaqah (ZIS). The source of this fund is not fixed. In addition, the amount and its existence cannot be ascertained. Other incidental assistance is the assistance provided by the government and local government. As with ZIS, government and local government assistance, such as the Special Allocation Fund, Self-Help Fund, BOMM, BOP, BKG and BKS are more incidentals and less comprehensive, nor do the whole Islamic institution get it. Typically, the various assistance obtained after the Islamic institution apply to the local

government. Furthermore, in various cases occurring in different regions, only certain Islamic institution gets it.[21]

There are several solutions as explained by prof. Mujamil Komar that students whose parents are rich need to be burdened with high financing, learners whose parents are classified as middle economies need to be financed sufficiently, whereas learners whose parents are poor should be granted with low financing, even learners who poor parents must be free and should be given donations of uniforms and textbooks. This policy is known as the cross subsidy policy. This cross subsidy policy can be pursued through various mechanisms, among others: first, before the re-registration, after passed the acceptance in Islamic educational institutions, parents of guardian students / guardians are invited to socialize education financing. For those people who cannot afford can apply for financing relief. The Islamic institution / school / campus parties offer several financing options that can be chosen by them. The choice of this financing option can be used to analyze the mapping of the economic capabilities of parents of parents and parents of students.[22]

The mechanisms in cross-subsidy determination have weaknesses that will be faced by managers of Islamic educational institutions. The most notable weaknesses are the poor recognition of parents of parents and parents of guardians, when in fact they are classified as capable even rich. Usually if there is relief let alone help, many people are able to confess poor. Another weakness is the emergence of both written and oral. This symptom is the opposite of the first symptom, although there are not many. The next weakness, usually the parents of parents and parents of guardians who ask for financial relief far greater than those who are rich so that the rich can be burdened with very high financing to attract those who filed the waivers.[23]

Financial resources for the financing of private Islamic education institutions can be pursued, among others by:

- Submit a proposal for financial assistance to the Ministry of Religious Affairs and the Ministry of Education and Culture
- Submit a financial assistance proposal to the local government
- Distribute letter of application for assistance to parents of guardians of students / students with high economy
- Invite successful alumni for help
- Submit a proposal for assistance to entrepreneurs

- Submit a proposal for financial aid to overseas donors
- Apply financial aid proposals to economically successful colleagues
- Organize activities that can bring financial benefits
- Empowering wakaf, grants, infaq, charity, and alms
- Empower the solidarity of members of religious organizations that overshadow Islamic educational institutions to assist in finding funds.[24]

Among the ten ways, wakaf empowerment is quite interesting. In some Islamic countries in the East region, wakaf has been functionalized and empowered for educational purposes, and its potential is remarkable. The need for education and Islamic education can be fulfilled through wakaf. Wakaf empowerment system is a legacy system of educational funding development that has been developed in the classical era, namely the era of progress of civilization and Islamic culture. Ahmad Syalabi quotes Sayad Amir Ali's report as follows: "After the emergence of the need to establish special places for the maintenance of science and cultural development, at that time an opinion was born about the need to establish waqf bodies for the educational institutions that would generate sufficient income to finance its interests and officer. The Caliph of Al-Ma'mun was the man who first raised that opinion, for he was not pleased that the Baitul Hikmah activities were solely dependent on the generosity of the caliphs and the amirs." [25]

The development of waqf is also done by Al-Azhar University Cairo Egypt. Abdullah Shukri Zarkasyi reported: "... in the field of education, wakaf Al-Azhar has been able to make al-Azhar University still exist and survive for no less than 1000 years and provide scholarships to thousands of students.[26] not only that, to support its institutional sustainability, with wakaf, Al-Azhar was able to develop the independence of its institutions by exploiting business opportunities such as plantations, agriculture, factories, apartments, and others.[27]

Managerial efforts can be made creative, productive, and independent development. The efforts that can be taken by managers include:

- Open cooperatives that handle all the learning needs of learners and the daily needs of the surrounding community.
- Opening small-risk productive enterprises
- Establish shops that serve the goods needs of society
- Prepare items that can be rented such as tarpaulins and sound system for various events, whether the wedding, circumcision, Islamic activity, graduation, and so forth

- Establish business that is the sale of services, such as rice mills, lodging, computer services, and so forth

- Conducting business of buying and selling land in strategic locations such as on the roadside
- Expect wakaf land to farmers with profit sharing system

- Establish a canteen or restaurant that serves all employees and learners and the surrounding community

- Growing shares in the form of cooperation with entrepreneurs through profit-sharing system. Through these strategic steps, a manager of an Islamic educational institution is expected to have entrepreneurship ability capable of mobilizing business from various lines of life and the result is expected to become a major force for Islamic institutions financing.[28]

A series of educational management activities in educational institutions and Islamic educational institutions, the average manager is more inclined to build a grand building. Of the buildings that are designed, office building buildings are always designed the most magnificent. Qomar reports: "... by highlighting the office building whose position is at the front will impress the splendor of an educational society. The splendor is for society identical with progress, but this is wrong perception, but conditioned. In fact, for school managers who are truly academic, they will prioritize their policies in classrooms / classrooms / libraries, libraries and laboratories. These three sorts of rooms should have the highest priority so that they are filled with the most complete tools. Because the all get direct contact with the learning process of students / students university. Unfortunately, these three rooms are often sacrificed in order to polish the face of office space, following the wishes of the public market tastes.[29]

Building a building for a manager is indeed the most easily demonstrated result especially for the state education institutions. The fund has been prepared as long as it has been included in the DIPA (List of Budget Implementation Entry). The building plan has been listed in DIPA. This view is very different from the particular view of society which is very critical of education. They are very understanding of the substance of education so as not to make the building as a parameter of educational quality and even not infrequently educational institutions that have a grand building and luxurious buildings, but very scientific people who are in it is not visible at all, so very disappointing. A /. Malik Fadjar said: "We must honestly admit that the presence of Islamic institution, schools, and colleges whose establishment and management are affiliated with Islamic organizations such as Muhammadiyah, NU,

and the exact or institutions / foundations of Islamic colleges, most have not been able to have the qualities, as well as the role that is desirable, both for the people themselves, especially for certain societal layers that are sociologically in the middle and upper positions.[30]

Fadjar states that quantitatively the development of Islamic educational institutions in Indonesia shows a significant improvement. But it must be realized the reality and future tendency that qualitative power will play a very strategic role and have a role for who can play its role.[31] Fadjar states that quantitatively the development of Islamic educational institutions in Indonesia shows a significant improvement. But it must be realized the reality and future tendency that qualitative power will play a very strategic role and have a role for who can play its role.[32]

As for the students / students university can start by increasing participation in the learning process / lectures, seriousness in utilizing learning resources such as libraries and the internet, seriousness in pursuing scientific information, the spirit of pursuit and follow scientific activities.[33]

In addition, managers / leaders of Islamic educational institutions can adopt policies that have a positive impact on all parties associated with the effort to divert the orientation of a magnificent building to a solid quality building, by doing:

- Prioritize the buildings that function academic strengthening.
- Prioritize the completeness of building contents in the form of educational and learning tools.
- Build the professionalism of all employees together collectively.
- Build and enrich the academic atmosphere
- Facilitate the creation of healthy competition to achieve achievement (fastabiq al-khairat) in all circles.
- Facilitate the development of careers of all parties without any discrimination.
- Provide motivation to achieve achievement from all circles and various fields
- Appreciate and prepare significant rewards for anyone who achieves a great achievement
- Facilitate excavation, research, deepening, and scientific development activities.
- Facilitate the writing of various types and forms of scientific work.
- Facilitate the publication of research results and scientific works.
- Facilitate the strengthening of human resources of all circles optimally and maximally
- Trying to improve the quality of education on an ongoing basis both the quality of its processes, outputs, and outcomes.[34]

Thus the strategic steps that can be taken in overhauling the tendency of the magnificent building to the quality of good education.[35]

IV. CONCLUSION

Reviewing the problem dilemmatic enough above, it takes strategic steps in the solution. According to thrifty writers need some things to note are:

Financing problem is a very sensitive existence. Because it can bring the progress of the institution if managed properly, on the contrary will bring the institution becomes worse.

In relation to the placement of the allocation of funds, parties in it should be able to arrange and manage well, how much the budget is there, how the budget is spent or allocated, and how the reporting system.

Principal as a driving force, is expected to have the skills of entrepreneurship (entrepreneurship skills) and managerial skills and supervision.

Islamic educational institutions, in this case Islamic institution, as a religious-based institution in which there are noble values, is expected to uphold the principles of justice, principles of trust, honesty, deliberation, openness, discipline, etc.[36]

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The Translation Of The Quran In Indonesia And Other Country: Two In One, One Is For The Enhanced Understanding Of The Content Of The Quran, Ones Is For Developing The Science And The Islamic Teaching

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Abstract-The translation of the Quran is an interpretation of the holy book of Islam in a language other than Arabic. The Quran has been translated into most languages by the translator. The translation of the Quran has always been a troubled and difficult issue in Islamic theology. Because Muslims respect the Quran as a miracle and incomparable (*i'jaz al-Quran*), they argue that the Quranic text cannot be reproduced in other languages or other forms. The translation of the Quran in its history undergoes a lengthy process, for example from the question of authority or the legitimacy of the translator, the law of translation, coupled with the presence of the translation made by the Orientalists making many differences among the scholars in addressing the translation of the Quran.

Keyword : Translation, psychological impact, *ijtihad*

INTRODUCTION

Terms to translate the Quran include:

The translation of the Quran should not be replaced by the Quran, so until someone feels no need for the Quran, this is not allowed. So, it should be written Al-Quran with Arabic / Arabic language, meanwhile it is written translated *maknawiyah* of the Quran, as explanation of its content. 2. The translator should know *madlulat lafadz* (the meaning is indicated by *lafadz* indication) in two languages, the source language and the target language, and the content indicated by the context of the sentence. 3. The translator must know the meaning of *lafadz-lafadz syar'i* in the Quran.

Translators should be credible (trustworthy), ie Muslims and Shalih (both in science and charity).

The law of translating the Quran with *maknawiyah* translation is originally permissible because there is no prohibition, even sometimes, the law is obligatory, that is when its existence as a means to teach / convey the Quran and Islam to people who do not understand the language Arabic because teaching / delivering the Quran is mandatory, with the following rules:

بجاء بهف هب لا بجلا متي لا ام

"A matter which an obligation cannot be done except with it, then the law of the case is also obligatory". So if we cannot teach / deliver the Quran except by translating the Quran with the *maknawiyah* translation type-whereas the law of teaching / delivering the Quran is obligatory-, then the law of translating the Quran with the *maknawiyah* kind of translation is also obligatory.

The term *harfiyyah* is sometimes allowed when a translator wants to translate a certain word in the Quran into the language of the audience so that he understands the word correctly, but with the notes the translator does not translate the order of sentences altogether, so as to translate the word. Currently in context current research researchers tend to do the translation of the Quran is intended for specific purposes according to the study of researchers in the field of counselling psychology. To provide therapy required translation of the verses of the Quran, because the researchers predict that the Quran approach to therapy especially if the verses of the Quran is known to strengthen to the counselee who is in need of assistance mental health restoration including in terms of defense of behavior phenomena is experienced by the counselee. This is other the benefit of translation Quran for discipline of knowledge, besides translation is for understand, spreading islamic teaching.

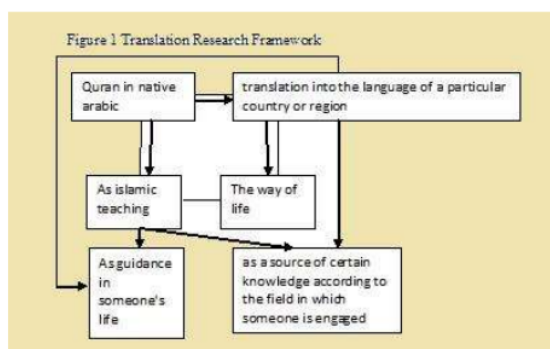
II. METHOD

The method of translation Quran as qualitative research [1] in this study using the method of hermeneutic circle describes the process of understanding hermeneutical text. It is believed that one's understanding of the text as a whole is fixed

by reference to the whole text of which no one else can be distinguished from the other, and hence, it is a circle. However, this circular interpretation character does not emphasize that I have found the

text in cultural, historical, and literary context . Hermeneutic circle involved in the interpretation of parts of text and the whole part of the bigger text. The characteristics of the Hermeneutic method are that of the text as the subject of the study (Essay), and follow the steps of the Hermeneutic circle method, traits of openness[3] , Traits of Ignorance in Text (Ontoemigma) including ontopretation of Quran[4]. The Quran translation formula is in accordance with a person's language and language where he lives and is taken as a basis for one's guidance for his life.

Therefore, the experiment in this study is done through the *history of case studies* by identifying the problems experienced by the subject by analyzing all the description of the event experienced, including the cultural dilemma faced by subject's confidence in the facts of European and Indonesia Cultural. *Then observation of case studies* involving a certain time to visualize the events experienced by the subject, the facts of dilemma and the words of the cultrual of European and Indonesian and the phenomenon of post-dilema emotional phrase gesture. *The historical oral* is done in this research by listening and recording all the feelings and words of dilemma's subjects and conflict opponents, the impacts and events that accompany the dilemma. Then proceed with the analysis together with the subject of decision choices that will be lived and take the appropriate attitude with situational analysis, and the researchers conduct *clinical case study* provide treatment in accordance with the conflict of choice subjects decisions that the dilemma experienced should be resolved and build the mental strength of the subject to accept the risk of dilemma of European and Indonesian besides the Japan.



III. RESULT

Examples of translations of the Quran, each translation always juxtaposed the original Arabic language Quran. In the psychological context of the translation of the Quranic verse or the reading of

the prayer after reading the Quran, it is very important to convince the individual to motivate himself and to seek God's help for all the problems he is experiencing. The importance of translation is to assist in the selection of verses that are appropriate to the context and at the same time, it helps to disseminate the content of the Quran to the community in order to be used for the grip of life as Muslims. Without translation it is difficult for a layman to understand the meaning of the Quran.

Taking the Quran and translating to be taken advantage of in certain areas is necessary, to understand more deeply the conditions of the Quranic text and conditions outside the structure of the Quranic language is essential. example of the text of the Quran in the letter Yasin and it motivates the public to read the letter Yasin because it is also supported [5] the ability of translators to take the wisdom so disarming motivation reward there is another motivation based on certain reference book there is another fadhilah in reading yasin letter shrunk with a prayer that is promised after reading the letter Yaasin and translation in Java language[6]. This is actually the power of understanding, believing certain content and fadhilah from reading the Quran will encourage the love of Muslims to practice the reading of the letter as well as the request of the reader of the letter yasin in prayer which means it is very strengthening mental person [7]. Of course, the efforts to eliminate sadness[3] and uneasy are strongly supported by the translation of the Quran.

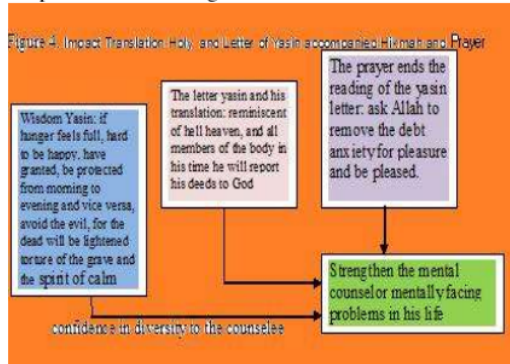
Figure 2. Translation Quran Letter Yasin with Hikmah Quran Reading of Yasin and Quran Yasin Prayer for Indonesia



Quran translation for the development of motivations for certain disciplines such as counseling psychology

Like such as taking the Quran for conflict counseling [8] , Quran for economic counseling[9], Quran for Hajj counseling [10], the researcher

immediately took the Quran as an aspect of translation and science as well as the field of research. In comprehending original Arab language according to [11] and translating to represent method of ijtihad related to etymology is very needed in struggling submit Islamic teaching. In consequence someone mujathid claimed to comprehend elementary language of Holy passing, it means that to pass quickly, hence the existence of translation and understanding is important. Again, it is very needed to overspread Islamic teaching mission. Thereby to certain state is including Indonesia of jihad[11] through Holy translation. It is important to conduct this research in order to avoid misunderstanding to Holy teaching. But it remains to be needed by understanding Holy sentences which have clear meaning, the clarification does not need the detailed or Holy's interpretation. To translate Holy is representing the way of Allah takes care of Holy so that it remains to spread over in all angle of world.



The impact of the translation of the Quran along with the wisdom and prayer of reading the Quranic verses is very supportive of mental health the main Muslims of Indonesia Muslims. A translator translates into influencing the Quranic teaching in everyday life. In this research translation in the context of public health counselling [13] , the presence of translation is necessary. translation in the language of another country can be seen in some of the following pictures.



The Quran in various languages was found by researchers at the only Nishihara mosque in Okinawa Japan.



Translation Quran for may of life = islamic teaching



Quran translation for teaching Islamic teaching

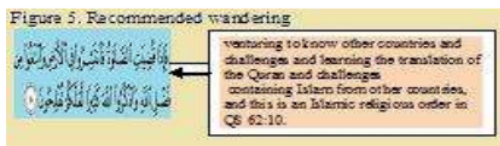


Translation of the Quran in the language of one's territory to be used as an understanding of the teachings of Islam

That the translation of the Quran is indispensable in the language of every Muslim in the world including in the world. That the interests of translation can support the process of contextualizing Quranic verses in the interest of scientific development. To strengthen someone's religion [14] of can develop religion teaching of Islam translate Holy all very is needed, beside Holy have a meaning as manual in life, the importance of comprehending culture life of society represents matter which needed to conduct such as he becomes a moslem or he wishes to invite others to be moslem or to fortify x'self of culture which is being expanded in life of society.

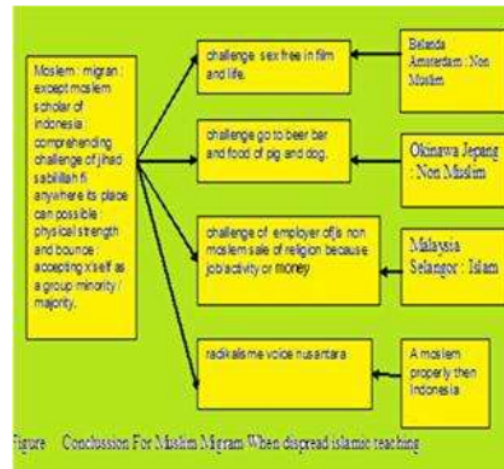
IV. CONCLUSION

When A moslem is experiencing Islam with translation to the region, it means or in English or the other region shall take care of belief in God and religious service practice of wherever and in a condition any[15], they are ready to live with geographical in a condition like any, remain to conduct *jihad fi sabilillah*.



Seeing the moment to moslem *jihad* such as to fight against free-sex and avoid pornography whereas in Japan, most Japanese people prefer to keep dogs as their pet, eat pork and drink alcohol. Though some people stay in islamic minority in this world, mostly, they could be consistent [16] to take care of belief in God and they also have to

remain their *ihsan*. Whereas observing the state of Islam in Malaysia for example in Selangor as a moslem, he could face any challenges eventhough he works in Islamic state or country. He could be trapped as worker of non moslem so that it is impossible for him to get a permission to pray or he could leave sholat. Having *taubah* can be done as soon as possible and try to exit of circle of these bad situations. However, it depends on each individual, could s/he defends his/her iman or faith to God[17] .



The command of QS 62:10 can be used as an experience in the importance of translating the Quran in all languages primarily in disseminating the teachings of Islam. besides that a muslim needs to understand the region of the country he is visiting and what challenges he faces in order to carry out the contents of the Koran teachings and even the translation of the Qoran. challenges in non-Muslim countries of Muslim countries. in non-Muslim countries there is even a translation of the complete Quran translation in certain country languages like urdu, india, english and others.

Even so it can be formulated by researchers that:

$$TQ = USIT + FKQ = 2In1$$

note: TQ = Translation of the Quran

USIT = Understanding, Spreading Islamic teaching

FKQ = Finding Knowledge bases on Quran

The two advantages of getting someone when they are doing a translation or learning the

translation of the Quran in addition to someone being able to understand the teachings of Islam in the Quran can also find knowledge that is built based on the Quran according to the scientific discipline they have. this is what 2In1 means in this study.

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Transformational Leadership Model of Head Madrasah (Case Study in MTsN 1 Trenggalek)

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Abstract - MTsN 1 Trenggalek is a successful and effective school that be one of reference for parents to send their children to school. The implementation of transformational leadership model in MTsN 1 Trenggalek includes: how the head of school appreciates the teaching staff, delegates tasks and authority, the essence of the school head of school, splits and takes the time, without tolerance for incompetence, cares about faculty, builds vision, , dexterity and patience in carrying out duties, brave to do introspection, have consistency, be open, and high self-identity. The basic objective of this research is to analyze and infer the characteristics and practices of MTsN 1 Trenggalek madrasah head.

Keywords: *Leadership Model, Head Madrasah, and Transformasional*

I. INTRODUCTION

The head of school occupies a privileged position in the school environment. Being a head of school takes a long time and an exhausting day with limited interaction. As a public activity, the head of school is usually the head of school figure in the school, the symbolic individual who through his actions reflects what the school will achieve. Parents and the public expect the head of school to be always present at school, and not just like a celebrity, his behavior is always a concern. The head of school is the only individual in the school who carries the primary responsibility of everything that happens in school. He was asked to answer questions by government, community, school committee, parents, teachers, and even students.

The reality in the field shows that there are still many schools whose students' learning achievement is low, teachers and students are less disciplined, the ability of teachers in managing low learning, and the slowness of administrative staff in serving the needs of students. These problems are a reflection of the lack of competence and ability of the head of school to empower his staff, despite the low work ethic of the school community as a whole^[1]. The head of school should be able to effectively manage all the resources in the school in

order to achieve the educational goals.^[2] The transformational leadership model is an option for the head of school to lead and develop a quality school. This leadership model has an emphasis on clear vision and mission statements, effective use of communications, intellectual stimulation, and personal attention to the individual issues of its organizational members.^[3]

MTsN 1 Trenggalek was chosen to be the focus in this study because the researchers saw the institution as a successful school and became the parents' reference to send their children to school. The implementation of transformational leadership model in MTsN 1 Trenggalek includes: how the head of school appreciates the teaching staff, delegates tasks and authority, the essence of the school head of school, splits and takes the time, without tolerance for incompetence, cares about faculty, builds vision, , dexterity and patience in carrying out duties, brave introspection, have consistency, be open, and high self-identity.

The basic objective of this research is to analyze and infer the characteristics and practices of MTsN 1 Trenggalek madrasah head. Researchers formulate the problem as follows:

To what extent is the success of MTsN 1 Trenggalek;

How does the head of the MTsN 1 Trenggalek analyze the internal and external contexts of the madrasah led;

How does the head of the madrasah set the direction for overall madrasah development;

How does the head of madrasah interact with people inside and outside the madrasah;

How are the steps taken by the head of madrasah to develop professionalism for themselves, teachers, and staff at the madrasah;

How does the head of madrasah redesign the madrasah organization that supports change for madrasah development;

What factors influence the head of madrasah in implementing the leadership model.

II. METHOD

This study uses the approach of Studikasuk and according to Yin, the study is an empirical investigation that examines a contemporary phenomenon in the context of its context is not very clear, even the study is used when the question of 'how' and 'why' is asked against a series of contemporary events (ongoing) the author has no control over it. [4] This study uses a studied approach aimed at answering the question of 'how' leadership of head madrasah run in MTsN 1 Trenggalek, and 'why' so.

Research Location

MTsN 1 Trenggalek with address: Karangsono, Trenggalek, Trenggalek, East Java (postal code: 66314), Indonesia is an elementary school institution that has achievements and quite resounding quality in each district, evidenced by the existence of several awards obtained and the number of new students enrollment that reaches thousands of the number of students who received about three hundreds and has been proven to graduate successful graduates.

Sampling and Data Collection Method

Sampling

According to Merriem sampling is a process by which researchers construct criteria, basics, and standards that must be possessed of existing units to be included in the investigation^[5]. In this study the units included in the investigation, among them are:

head of madrasah MTsN 1 Trenggalek, deputy head of madrasah, teachers, support staff of madrasah, parents, madrasah committee, and students.

Data Collection Method

Interview

According Patton, data collection by interview, should use interview guide approach (approach guide interview)^[6]. Before conducting the interview, it is important that the issues to be explored are outlined in the form of a note ----- but not given to the interviewee ----- before the interview. The guides serve as reminder notes during the interview process to make sure all issues can be revealed. The units included in the interview for this study include: madrasah head MTsN 1 Trenggalek, deputy head of madrasah, teachers, support staff of madrasah, parents, madrasah committee, and students.

Dokumentation

According to Yin, this method is used to add and reinforce the evidence of

the interview method.^[7] The documentation includes: the number of students, teachers, and the performance of madrasah and students in the context of Trenggalek. Documentation data sources can be obtained from madrasahs and Trenggalek Religious Departments.

Data Analysis

After the data is collected, the data is analyzed on a case-by-case basis. Each case is treated as comprehensive case within, and of itself in in-case analysis. After the analysis of each case followed by cross-case analysis.^[8] The procedure of in-case analysis is as follows:

Transkription

After the interview, the collected data is transcribed into Indonesian. This is important because the purpose of this study is nothing but to construct a theory about the leadership model of transformative madrasah heads from the data collected --- namely the preparation of grounded theory (Strauss and Corbin, 1998).^[9]

Encoding and Cateorization

Recorded data in transcriptions and documents are coded categories to compose descriptions and broad themes. The main categories in this study include: values and beliefs, analyzing the context, building vision, defining strategies, promoting professional development, creating school cultures, and redesigning structures.

RESULT

Define the success of school

According to Cheng (1996) school is said to be effective if the school has the capacity to maximize school goals and functions. While Bliss (1991), Everard and Morris (1996), Mortimore (1991), and Hill (2001) agree that one indicator of school success is a school that is effectively processed. MTsN 1 Trenggalek is a school with good student output, covering: the UN index; entering the top school; commitment to religion and morality; performance of sports and extra-curricular. Supportive school conditions: safe atmosphere and Yemen; complete and modern facilities; learning comfort. Effective school processes: shared vision and participative management.

2. Values and beliefs of life

According to Bass (1985), Bass and Avolio (1994), Leithwood et al (1999) authentic leadership is a Leadership that combines values and beliefs in its practices,

while Leithwood and Riehl (2003), MacBeath (1998), Mulford and John (2004) considers values and beliefs as an important dimension of school leadership. In this study found head of schools of MTsN 1 Trenggalek articulate a set of values and beliefs categorized as follows: Religious: trust, faith and piety: *uswatun hasanah* Professional: on change: hard work, openness and transparency, human relations: justice, respect, caring and empathy.

3. Analyze the context

The characteristic of a successful leader is a leader who is able to understand and adapt to the context in which he carries out his leadership (Leithwood et al., 2004). Based on values and life beliefs, a leader must analyze the school context first and take appropriate action (Gurr et al., 2005). The context in which MTsN 1 Trenggalek head of schools analyzed included: (1) internal context: school performance; teacher capacity; students' background and expectations; resources and facilities. (2) external: expectations of student guardians / students; national education policies; social changes.

4. Visioning

One of the functions or dimensions of successful leadership is the head of school who is able to build the school vision (Leithwood et al., 1999; Leithwood and Riehl., 2003). Meanwhile, according to Green (2000), a successful school leader has a clear vision that can be communicated with other parties. Visioning head of MTsN 1 Trenggalek: building vision; spreading vision; set a target; put expectations.

5. Setting strategies

Head of school MTsN 1 Trenggalek five strategies: (1) Preface: enforce discipline; increase motivation. (2) Academic: additional hours of study; develop intruksional programs;

intensification of learning. (3) Non-academic: extra-curricular programs compulsory and free. (4) Supportive: school facilities; public relations. (5) evaluative: continuous program evaluation.

IV. CONCLUSION

Head of MTsN 1 Trenggalek runs Leithwood's transformational leadership model et al., Namely: setting direction, building human resources, and redesigning the organization.

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Transformative Strategy of Educational Marketing Through Brand Image Improvement on Educational Institution (Case Study at Madrasah Ibtidaiyyah (MI) al Azhar Bandung Tulungagung - Indonesia)

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Abstract—The aims of this research is to explain the transformative strategy undertaken by MI al Azhar in marketing educational services through the improvement of branding image the institution. The Implementation of the transformational strategies that has been done by MI al Azhar that are: (a) Idealized Influence by placing public figure as board of principals, so that indirectly become icon of institution; (b) Inspirational Motivation, MI al Azhar makes excellence and distinction program that can be inspired by other educational institutions, both learner and teacher, among them is the Bilingual Class Program (BCP) and they are required to read Al-Qur'an one juz each day; (c) Intellectual Stimulation by applying Quantum Teaching and Learning strategy, to provide a balanced portion to all children in developing their intelligence; (d) Individualized Consideration has been being implemented through literacy programs and parenting programs. Literacy program is realized with parents' guidance to their children on reading a book once a week at school while the parenting program is done in seminars twice every semester.

Keyword: Transformative Strategy, Educational Marketing, Brand Image

INTRODUCTION

The improving the quality of education is determined by many factors, one of which is the quality of educational institutions. In recent years, many studies have discussed about improving the quality of education, whether in the form of input, process and output. Educational institutions as institutions engaged in education services, require a strategy to market their products. The products of this educational institution, more defined as services, not goods and aims to serve educational consumers. The educational consumer is the educational user community. Education as a service product is

something intangible, but can meet the needs of consumers.

Education is a conscious and well-planned effort to create an atmosphere of learning and learning process so that learners actively develop their potential to have spiritual strength, self-control, personality, intelligence, noble character and skills needed of him, society and nation.[1] Education is a service product, so in terms of marketing is different from the product in the form of goods. Marketing services are different from goods, because basically services can't be seen but can be felt. Marketing of educational institutions is the nature of services, so prospective consumers tend to see in advance facilities and infrastructure that appear physically. If it is physically unattractive, the prospect will assume that it will not be interesting. That's why it takes a marketing strategy in educational institutions, so that prospective customers will not only see from the physical side only.

A. Educational Marketing Concept

Educational marketing is a combination of two words, namely marketing and education. There are several notions of marketing that researchers summarize, including the understanding of marketing from Kotler. According to Kotler, —marketing is a societal process by which individuals and groups obtain what they need and want through creating, offering, and exchanging products and services of value freely with others.[2] Based on this understanding, marketing is an activity done jointly by both individuals and groups to meet the needs according to their expectations. Meeting these needs is a social process, which can be done through the

process of product creation and offer it to the user in various forms of products and services freely.

Bennet mentions in his book —marketing is the process of planning and executing the conception, pricing, promotion, and distribution of ideas, goods, and service to create exchange that satisfy individual and organizational goals.[3] In the opinion of Bennet marketing is the process of planning and execution of a concept, the process of pricing, offering products, and the distribution of ideas, goods and services to satisfy individual and organizational goals. Important aspects of the above understanding of marketing, according to researchers are:

Marketing is a well planned and executed process
The marketing concept includes pricing and the efforts made to offer products or services to the public
Providing maximum service to individuals and organizations in the hope of satisfying customers or fulfilling customer desires.

B. Educational Institution Brand Image

American Marketing Association (AMA) defines that brand image—perception of a brand in the minds of persons. The brand image is a mirror reflection (though perhaps inaccurate) of the brand personality or product being. It is what people believe about brand-their thoughts, feelings, expectations.."[4] According to the above understanding, it can be concluded that the brand image is a perception or image owned by the customer towards the existence of a product, institution, brand, business, or person, although the picture is not necessarily accurate. Brand image is also a belief that a person has about a product, their thoughts about their products, their feelings and their expectations about a product. For marketing purposes, sometimes the brand image of the product is more important than the true value of the product.

Kotler defines brand image as the perceptions and beliefs held by consumers, as reflected in the associations held in consumer memory.[5] From that understanding, researchers found three important things that become the definition of brand image. First, that image is a belief or belief that a person has on an object. Second, that image is a picture or a person's dream of an object. Third image is the impression caused by an object to someone after knowing or feeling the product. Objects in this case can be interpreted as a product / goods or services.

The good name of the institution depends on the brand image built in the community.[6] Good brand image is not only in the form of a good building, has a beautiful logo or use a lively advertisement. Research conducted by Ismail mentions that communication between school and community institutions will

support the brand image of the institution, especially providing information on the real quality of school institutions, ranging from infrastructure, financing, learning facilities, madrasah achievements, educators and education, and the creation of a good performance-based madrasah culture.[7] Building a good communication relationship with the community, will make the institution more easily known. This strategy has a positive impact on attracting customers, and is better than promotional strategies using advertising. According to Kotler "...the company shouldn't over rely on an advertising approach. Corporate image is more effectively built by company performance than by anything else. Good company performance plus good PR will buy a lot more than corporate advertising.[8]

Educational institutions are places where learners are trained, educated, and taught to mature. Meanwhile on the other hand learners themselves are heavily influenced by emotions, maturity, parenting talent, parent environment, economic and parental education, parental leadership, and many more. To create a synergic relationship between educational institutions and the community (parents of learners), then the community is not only used as a customer, but also positioned as a manager, and also as a partner. Communities are involved in policy making and planning in education. Thus the community participate in determining the development of educational institutions.[9]

Involving customers in the formation of brand image of the institution is one of the strategies that can be done by the institution to improve the services provided. As Sondoh Jr. said,

it is very important to understand brand image dimension judgments from customers' point of view, and whether these image dimensions are parallel to their perceptions, expectations, needs and goals. Knowing this, may assist managers to develop a marketing strategy based on consumers' perceptions and meanings of the product.[10]

Research conducted by Costa and Pelissari yields a conclusion that:

The institution's image is a translation of impressions generated from the individual's interaction with various organizational components, based on relevant cognitive and affective aspects according to the way of observing the environment. The study demonstrated both the multidimensionality of the image and that the institution's overall image is associated most strongly with its affective image.[11]

According to the above understanding, that the brand image of an educational institution is a manifestation of a person's image, feelings, or

opinions towards the educational institution. This picture is formed by the interaction of a person, with various components of the educational institution. For example a person's interaction with educators, learners, with the principal or interaction with the school environment. This interaction is influenced by the ability of individuals to link, assess and consider the process of interaction. In addition, the interaction is also influenced by feelings, interests, attitudes and emotions. This issue of brand image becomes a serious discussion in several educational institutions, and has become one of the important decisions of education management strategy. This is because it results in the desire of learners to continue education or drop out. The study that discusses the relationship between student expectations and their life experiences and used for improving the image of educational institutions conducted by Belanger et al.[12]

C. Transformative Strategy

Marketing strategy implemented is to know the customer's wishes. The success of marketing strategy can be seen from the response given by the community. If the public welcome as a prospective user of good products or services, it can be said that the marketing strategy is done successfully, and vice versa. A well-executed marketing strategy can capture the public to become a user of goods or services. This is in accordance with the one delivered by Drucker—the aim of marketing is to know and understand the customer so well that the product or service fits him and sells itself. Ideally, marketing should result in a customer who is ready to buy.^[13]

The Strategy undertaken by educational institutions to market their products, among others, by making branding of educational institutions. This branding is the hallmark of an institution, so, it can make education consumers put high trust, and encourage them to buy education services. Educational institutions that have a good brand image, will continue to be conversations, so that consumers will unconsciously tell the brand image to others.

Many ways done by educational institutions to create branding. Marketing strategy is an attempt to market a product, either goods or services, using a certain pattern of plans and tactics so that the amount of sales becomes higher. Educational marketing requires strategies that have an important role in within educational institutions. A transformative strategy is needed to address the challenge of educational institution competition. Brand image created by the institution, a transformative strategy of educational institutions in marketing educational services.

The word transformative comes from the word transformative[14], which has meaning causing a

marked change in someone or something, which means that transformative is a deliberate change with marked changes in someone or something. Transformative indicators such as those conveyed by Bass and Reggio are four: Idealized Influence, Inspirational Motivation, Intellectual Stimulation, Individualized Consideration.[15]

Idealized Influence means having an ideal effect. This ideal effect will bring educational institutions admired, respected and trusted by education service users. Inspirational Motivation means being an inspiration to others of other institutions and may be a role model for other educational institutions. More importantly, the institution is able to articulate a strong vision of the future. Intellectual Stimulation means having intellectual stimulation to be creative and innovative. Individualized Consideration means that educational institutions pay attention to education service users and help solve problems by providing counseling services to education service users.[16]

MI al Azhar is a private madrasah that has a breakthrough and innovation in marketing the institution. Madrasah is known by the public and has a good branding with an indicator of the many public interest, not only in the District of Bandung, even outside the region of Bandung, want to send their children in this madrasah. The number of enthusiasts or in the language of marketing, referred to as the customer indicates that this madrasah already has a good branding.

MI al Azhar has achievements in some district and even provincial Olympics. This achievement is due to the high level of support provided by madrasah to students who will participate in the Olympics, starting from giving information to parents directly and preparing their students by providing additional material for that, then facing the race. Based on this preliminary study, this research is focused on the implementation of Idealized Influence, Inspirational Motivation, Intellectual Stimulation, and Individualized Consideration in marketing strategy at MI al Azhar Bandung.

METHOD

This research uses qualitative approach. This study aims to get a deep picture of the implementation of transformative marketing strategies in education conducted by MI al Azhar Bandung. Data collection techniques in this research are in-depth interviews to the board of heads of institutions and principals, conducting participant observation and documentation. Then the data obtained, will be analyzed and reduced and then researchers present in the form of writing. Data analysis is done from the beginning the data obtained and done during the research took place. The results of data analysis will be reduced to more solid

and in accordance with the focus of research, then the data presented in the form of writing and the last done withdrawal conclusions.[17]

RESULT AND DISCUSSION

The results of this research show that there are some things done by the institution to improve brand image of the institution.[18] First, the role of stakeholders who participate in promoting directly to the community. The role of stakeholders in this institution becomes significant, because in addition to being the board of leaders of institutions, they are community leaders who become role models of citizens. Of course, the promotions made by these stakeholders are welcomed by citizens.

Secondly, MI al Azhar developed a special program called Bilingual Class Program (BCP) in its teaching and learning activities. This is a kind of local curriculum designed to improve the quality of learners. This program became the flagship program of MI al Azhar, to train the language skills of the students. The concept of BCP is the learning in the classroom by using the introduction of two languages, namely English and Bahasa Indonesia. This program received good response from parents of learners, and indirectly become a brand image of MI al Azhar.

Third, to foster and develop the spiritual potential of learners, MI al Azhar held a program of reciting al-Qur'an. This reciting program is required for all students. Fourth, to maintain good relationships with parents of learners, MI al Azhar held a literacy program and parenting program. This literacy program is realized with the obligations of parents of students to accompany their children to read once a week at school every Thursday. This program of course makes MI al Azhar increasingly known by the community and have a good brand image in the eyes of parents of learners. while the parenting program is done in the form of seminars by involving all parents of learners with themes tailored to the needs of parents in educating children twice each semester.

The transformative strategy that has been done by MI al Azhar in marketing education, according to transformative indicator according to Bass and Reggio among others:[19]

Idealized Influence

It means having an ideal effect. This can be seen from the efforts of MI al Azhar in placing stakeholders community leaders as the leadership council in LPI al Azhar. This placement is able to give positive influence to teachers as well as to educational user community. This leadership council is played to help shape the brand image of the institution through its work in society. So the public will see that the figure is a representation of LPI Al Azhar.

Researchers define stakeholders here are school stakeholders, namely community leaders who become the foundation board. This is indirectly a form of foundation support to the success of education. Foundation support to education managers will be able to improve the quality and progress of educational institutions. Stakeholders who are the founders of this foundation have a wide network in the community, which means in terms of promotion or marketing education, will have a large market share.

Islamic Education Institution of al Azhar is an institution founded based on the Mosque BaitulKhoir Bandung Tulungagung. The location of the madrasah close to the mosque and the LPI based on the mosque MI al Azhar has a religious and intellectual brand image. In accordance with one of its missions, making the students in MI al Azhar a good children, likes to worship and read al-Qur'an.

Inspirational Motivation

It means being an inspiration to others or other institutions. According to Bass—*Transformational leaders behave in ways that motivate and inspire those around them by providing meaning and challenge to their followers*" workl.[20] In the implementation of educational institutions, an educational institution is said to have inspirational motivation when it can become a role model for other educational institutions. One form of learning program that can be an inspiration for other schools / madrasah is the existence of Bilingual Class Program (BCP). The use of two languages as the language of instruction in learning, has a dual advantage, namely to attract learners and improve the language skills of learners. Implementation of BCP to learners is expected to improve understanding and mastery of learners of English.

The implementation of BCP in the classroom has been arranged according to the plan although sometimes there is a need to adjust to the conditions at that time. Some of the benefits of this BCP program are the attainment of school performance, especially in the ability to discuss learners, as written by Beardsmore—and have acquired a solid reputation for scholastic achievement, linguistic equity, multilingual proficiency among the pupil and the promotion of multicultural awarness".[21] BCP di MI al AzhardilaksanakandenganmenggunakanBahasa Indonesia as the main language of instruction and English as the language of instruction for Science, Mathematics and English subjects.

Inspirational motivation is also evident in the Qur'an learning program. This Qur'an learning program not only applies to learners, but the ustadz and ustadzah are also required to read the Koran every day one juz.

Intellectual Stimulation

According to Bass—transformational leaders stimulate their followers' efforts to be innovative and creative ...[22]this concept when applied in educational institutions, it will be seen from the efforts of institutions to develop the intellectual potential to be creative and innovative. MI al Azhar uses the principle of Quantum Teaching and Learning (QTL) in learning strategy. The use of this method provides the same portion to all learners in developing their intelligence. This method requires active involvement of students in learning, so that it will create a pleasant climate for them. This is where teachers given the freedom to be creative and innovate in the method of learning. Followers are encouraged to try new approaches, and their ideas are not criticized because they differ from the leaders' ideas.[23]

To develop the potential of students' spiritual intelligence, MI al Azhar requires all learners to follow the study of the Qur'an. This is a local curriculum developed by the institution. The study of al-Qur'an conducted in MI al Azhar using UMMI method whose quality assurance is directly controlled by UMMI Foundation. This applied Ummi method can improve the ability of management and learning of the Qur'an that is effective, easy, fun and heart touching. To support this program, the institute requires the teachers to read the Qur'an one juz per day (one day one juz).

Teachers who teach reciting (Tartil) al-Qur'an using this UMMI method must be through seven basic programs that become the main standard applied in developing Qur'anic Generation through learning process of Qur'an by using Ummi method. The seven standards are tashih recitation of the Qur'an, tahsin, teacher certification of al-Qur'an, coaching, supervision (assurance and maintenance of the quality of Ummi system applied in the institution), munaqasyah (external quality control / evaluation of final results by Ummi Foundation , sermons and imtihan.[24]

Individualized Consideration.

Bass mentions that —Transformational leaders pay special attention to each individual follower's needs for achievement and growth by acting as a coach or mentor the individually considerate leader listens effectively. The leader delegates tasks as a means of developing followers[25]. In implementing education institutions, MI al Azhar pays special attention to education service users and helps solve problems by providing counseling services to education service users. This counseling practice can be seen from the existence of literacy programs and parenting programs that are there.

Literacy program becomes one of the meeting place of parent learners with teachers every week.

Parents are required to accompany their sons / daughters every Thursday to read in the madrasah. With the arrival of parents once a week to the madrasah, the form of attention of the madrasah to the parents of learners. The parenting program is one of the efforts to establish the brand image of the institution conducted in MI al Azhar, improving the relationship between parents of learners with MI al Azhar and also improving the loyalty of parents of learners. This increase in loyalty is supported by Gautam's quantitative research results through multiple regression, stating that the image of the educational institution becomes a full mediation of the chosen marketing strategy with the loyalty of the parents. According to Gautam research results of 687 respondents :

—The results of Multiple Regression Analysis show that the price mix was the most significant factor having impact on parents' loyalty followed by people mix, place mix, product mix, and promotion mix. Furthermore, educational institution image mediates completely (full mediation) the relationship between selected marketing tactics (product mix, people mix, place mix, promotion mix) and parents' loyalty. Whereas, educational institution image mediates partially (partial mediation) the relationship between price mix and parents' loyalty. The sample comprised 687 respondents.[26]

Parenting program becomes one of the forms of communication done by the institution to the users of education services. As the researchers write above, that communication with the community has an important role in increasing brand image of institutions in the community. Moreover, the communication made a positive impact on the increasing interest of the community to become users of education services. Communication is done with parents of learners, became one of the parent forums provide input to educational institutions. Suggestions and criticism from parents of learners then followed by changes made by educational institutions internally by improving facilities infrastructure, educators and learning systems.

The changes that made by educational institutions adapt to the needs of education service users. This is what then makes the institution to grow better and have a positive brand image in the eyes of parents of learners and change the public's view that a good school is a costly school. Expensive schools are no longer a guarantee, that the school has a good quality. This is supported by Fachrozi's research results—School image as a mediator factor should be used to enhance the perception of parents about the product and price as well as to increase the parents loyalty.[27] Positive image in the eyes of parents will

be told to the public, so indirectly the image of this good institution will spread in the community.

IV. CONCLUSION

Based on the above findings, the researcher concludes that the transformative strategy undertaken by MI al Azhar in marketing educational services, among others; placing stakeholders / public figures as board of institution leaders so indirectly can become icon of institution, MI al Azhar make typical program of Madrasah good for learners and teachers, among others is Bilingual Class Program (BCP), Learning reciting Al-Qur'an by using UMMI method, and obliging teachers to read Al-Qur'an one juz each day, MI al Azhar establish communication with parents of learners by making literacy program that is realized with the obligation of parents of students to accompany their sons and daughters to read books once every week at school. This parenting program is

also conducted in the form of seminars by involving all learner's parents in educating their children twice every semester.

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THOUGHT AND PHYLOSHOPY

¹ A RELIGIOUS STATE⁴

(A Study of Hasyim Asyari and Muhammad Iqbal's Thought on the Relation of Religion, State and Nationalism)

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Abstract - This paper explores the concept of a religious state proposed by two Muslim leaders: Hasyim Asyari (1871-1947), an Indonesian Muslim leader and Muhammad Iqbal (1873-1938), an Indian Muslim leader. Both of them who represented the early generation when the emerging of revolution for independence of Indonesia (1945) from the Dutch colonialism and India-Pakistan (1947) from the British Imperialism. In doing so, they argued that religious state is compatible with the plural nation that has diverse cultures, faiths and ethnicities. They also argued that Islam as religion should involve for the establishment of a nation-state. But under certain circumstances, they changed their thinking. Hasyim changed his thought that Islam in Indonesia should not be dominated by a single religion and state ideology. Hasyim regarded religiosity in Indonesia as vital in nation building within a multi-religious society. While Iqbal changed from Indian loyalist to Islamist loyalist after he studied and lived in the West. The desire of Iqbal to establish the own state for the Indian Muslims separated from Hindus was first promulgated in 1930 when he was a President of the Muslim League. Iqbal expressed the hope of seeing Punjab, the North West province, Sind and Balukhistan being one in a single state, having self-government outside the British empire. In particular, the two Muslim leaders used religious legitimacy to establish the political identity. By using historical approach (intellectual history), the relationship between religion, state and nationalism based on the thinking of the two Muslim leaders can be concluded that Hasyim Asyari more prioritizes Islam as the ethical value to build state ideology and nationalism otherwise Muhammad Iqbal tends to make Islam as the main principle in establishment of state ideology and nationalism.

Keywords - *Hasyim Asyari, Muhammad Iqbal, Religion, State, Nationalism*

¹ INTRODUCTION

Discourse on religion, state and nationalism both in theories and practices have been revisited in many studies. The practices of the religion, state and nationalism are indeed dynamic and never monolithic. Each muslim country may offer different interpretation and policies with

¹
regard to the position of religion in national politics. As Indonesia since the beginning of Independence in the mid twentieth century, has formulated its own concept of adapting the principle¹ of religious faith and nationalism [1]

While in India during the revolt of 1857 A.D., the Hindus and Muslims both joined together against the British, but after the revolt, the British policy of divide and rule, Hindu revivalism and emergence of Aligarh Movement contributed to rise of separatism. (Madani, 2005: 207). The concept of religion, state and nationalism in India was presented under the phrase of —two nation theory¹ by the proponents of Muslim nationalism. They maintained that in the subcontinent there lived not one homogeneous nation but many nations, two of them are largest ones: Hindus and Muslims. On account of their numbers they are capable of having two separate countries to exercise their own ideologies of life which are so very different¹ to each other[2].

This article explores the concept of religious state on the relationship of religion, state and nationalism proposed by intellectuals immediately before the independence. This article focuses on two prominent religious figures: Hasyim Asyari, an Indonesian Muslim figure and the leader of Nahdlatul Ulama and Muhammad Iqbal widely known as *Allama* Iqbal, was an Indian Muslim figure and regarded as the —Spiritual Father of Pakistan¹.

METHOD

This research is a library research with descriptive analytical method. To clarify the concept of the method above. This research used purely library research, the researcher focuses the research on primary and secondary data through library study. While the object of the study is the —a religious state (a study of hasyim asyari and muhammad Iqbal's Thought on The Relation of Religion, State and Nasionalism).

1 RESULT AND DISCUSSION

Brief Biography Of Hasyim Asyari

Hasyim Asy'ari or Muhammad Hasyim, was born in Gedang Jombang village on 24 Zulkaidah 1287 H / 14 February 1871, and died in Jombang on July 1947. Hasyim was a descendant of Ulama. His great-grandfather, Kyai Sihah was the founder of Pesantren Tambak Beras, while his grandfather Kyai Usman was the founder of Pesantren Gedang and his father, namely Kyai Asy'ari was a founder pesantren Keras in Jombang. In 1893, Hasyim left for Mecca and studied with Syaikh Mahfudh At-Tarmisi who came from Tremas, Pacitan, East Java. Syaikh Mahfudh At-Tarmisi became a lecturer at the Grand Mosque and was a scholar of hadith in Mecca, he was a student of Syaikh Nawawi Al-Bantany who was a student of Syaikh Ahmad Khatib Syambasi who succeeded in combining the *Qadariah* and *Naqsabandiah* line. To complete his knowledge in the religious studies, Hasyim studied to Syaikh Ahmad Khatib Al-Minangkabawi. Of the muslim scholars, which most influence the thought of Hasyim was Shaikh Mahfudh At-Tarmisi. After 7 years studying in Mecca, Hasyim Asy'ari returned to Java and founded Pesantren Tebuireng in Jombang on 26 Rabiul Awal 1317 H / 1899 M. Many *kyais* (muslim scholars) who influence the thoughts of Islam in Indonesia was originated from Pesantren Tebuireng [3].

As an intellectual of Indonesian Muslim, Hasyim Asy'ari wrote several works including *Adab al-'Alim wa-Al-Mutta'allim* on ethics in a learning system that was influenced by the tradition of classical Islamic education and muslim scholars such as Imam al-Ghazali and Al-Zarnuji. His thoughts in the religious understanding seen from his defense of the way of religion with the system of *'mazhab'* poured in his work *Qanun Asasy li-Jam'iyyati Nahdlatul Ulama* which later became the foundation of NU organization. In the theology, he also wrote a work entitled *al-Risalah al-Tauhidiyyah* and *al-Qaid fi Bayan Ma Yajib Min al-Qaid* explained there are three levels of human appreciation of God. Firstly, it includes an assessment of the oneness of God (the understanding of unity for the layman). Secondly, knowledge and the theory of certainty are sourced from God (understanding of tauhid for the deepest feelings of God's greatness (for the Sufis who bring to the knowledge of God). In the field of the *tariqah*, Kyai Hashim Asy'ari wrote *al-Durar al-Muntasyirah fi Masail al-Tis'a 'Asyarah* which contains practical guidance for Muslims to be more careful in entering the world of *tariqah*. In addition, Kyai Hasyim Asy'ari's speeches were published in various newspapers such as *Soeara*

Nahdlatul Ulama (Voice of *Nahdlatul Ulama*), the official newspaper of the *Nahdlatul Ulama* (NU), published in 1928[4].

1 *Religion, State And Nationalism Views Of Hasyim Asyari*

Through the intellectual works of Hasyim Asyari, there is no specific work of him in discussing on religion, state and nationalism. However, according to Ishomudin Hadzik (d.2003) as his grandson in the work of *Irsyadul Mukminin Ila Sirati Sayyidil Mursalin* reflected and summarized some views of Hasyim on brotherhood, equality and justice.

Hasyim also stated in his speeches that Islamic brotherhood is the basis of democracy, which is of great value to humanity, and that it had been introduced by Islam since its early development. By planting Islamic brotherhood, unfair conditions will necessarily disappear from society. For Hasyim, Islam not only entails the attempt to free people from the worship of more than one God and to guide them to worship only one God (tauhid), but it also seeks the social, political, and economic aspects of ignorant societies. Moreover, it seeks to disseminate the spirit of Islamic brotherhood by eliminating differences stemming from descent, position, wealth, and nationality[5].

Accordingly, Hasyim suggested that Muslims should always make every effort to unite themselves. He also repeated this call following the declaration of Indonesian independence when he stated that Islamic brotherhood seems to be disappearing from the fabric of society. It is caused of many a Muslim sees his own brother in Islam starving yet his heart is not moved to help him. Hasyim was also concerned about the political condition of Indonesian Muslims. During the early years of Indonesian independence, he was saddened by the attempt of some people to use Islam as a means to achieving their goals. Hasyim said that we find the role of the Islamic community in this political arena is very insignificant. The religious influence upon the political arena in Indonesia is very weak, even dead. But even so, there are other greater disasters, namely, that Islam has been used by some people as a vehicle towards achieving their goals and hopes, whether political or personal. It is very dangerous if people regard the users, who do not carry out every deed commanded by Allah nor avoid the forbidden deeds as muslims[6].

Hasyim further compared the contemporary political conditions with those that existed during the early development of Islam. He believed that the political foundations of Islamic government as laid down by the Prophet Muhammad, Abu Bakr and Umar b. Khattab had

three goals. Firstly, providing equality for all Muslim. Secondly, serving the interest of the people through deliberation and thirdly maintaining justice. He further stated that the form of Islamic government was not defined. When Our respected Prophet Muhammad, God bless him, passed away, he did not leave any message about how to choose the head of state. Thus, the appointment of the head of state and many other things concerning statehood have been left undefined, and Muslims were not bound to one system to constrict them. All systems can apply to the Islamic community in every place [7]

However, the teachings of Islam, he insisted cannot work well if the interests of the Islamic community are fragmented. Hence, he regarded the ultimate goal of political Islam in Indonesia to be the true implementation of Islamic teachings in all aspects of life, instead of the lip-service often paid to them. Thus, he argued that the Indonesian Islamic community, do not want to compete for position or leadership, we only want that those who sit and hold the country's leadership to implement the teachings of Islam as commanded by Allah the Most Holy and Glorious [8]

Hasyim Asy'ari's views on the relation of Islam and nationalism has been changed after he involved in political activities especially when ahead of Indonesian Independence. Based on historical fact, Hasyim Asy'ari can be regarded as having been the spiritual leader of many Indonesian political figures such as Sukarno and General Sudirman, even though his own political activities were relatively low-key until late in his career, and for the most part were not openly anti-Dutch. These activities included his establishment of a traditional Muslim organization, the Nahdlatul Ulama (NU). Under his patronage, the NU focussed its activities on the advancement of Muslim; education, the promotion of socio-religious activities and the economic betterment of the Muslim lower classes [9]

Hasyim Asy'ari early awareness of political matters came as a result of Muslim encounters with colonialism in Indonesia and the Middle East. The armed struggle of Indonesian Muslims against the Dutch during the second half of the nineteenth century, as seen in the Minangkabau-Paderi War (1821- 1837), the Javanese Diponegoro War (1825-1830), and the Acehnesse War (1873- 1904), to mention but a few, must have influenced young Hasyim who grew up in the last quarter of that century. He's political awareness also stemmed from his educational experience. Although the pesantren curriculum rarely dealt with the political ideas of Muslim thinkers or discussed political crises, the pesantren community was not unaware of the daily hardships inflicted by colonial rule upon indigenous Muslims.

Like other traditional ulama who avoided cooperation with the Dutch colonial regime, Hasyim Asy'ari distanced himself by retreating to his pesantren in a remote village. From there, he launched a cultural assault on the Dutch by forbidding local Muslims to Wear Dutch-like clothing or to imitate their etiquette. Asy'ari launched his own non-cooperative movement against the Dutch from his village. Unfortunately, the Dutch became aware of his sentiments and burned down his pesantren in 1913. Hasyim Asy'ari was however undeterred by the destruction of the pesantren and even gathered his students in the courtyard of the gutted edifice, calling upon them to continue in their struggle against the Dutch. He also advised them, however, not to demonstrate public opposition to the Dutch but, rather, to keep a low profile until the opportune moment for open confrontation presented itself [10]

After involving with some political figures, Hasyim Asy'ari fully supported nationalist and muslim movement in struggling colonialism. His closest student, Abdul Wahab Hasbullah allowed to participate and join in the Syarikat Islam (Muslim Association). Furthermore, Wahab Hasbullah established a discussion forum called Tasywirul Afkar with Mas Mansur, who had studied in Cairo and later became the leader of the Muslim organization, the Muhammadiyah. Abdul Wahab Hasbullah also established an Islamic school named *Nahdlatul Wathan* (the Revival of the Nation) in 1916, a name which clearly shows the spirit of nationalism of its founder. At the same time, *Syubbanul Wathan* (Youth Generation of the Nation) was established by its proponents, among them Abdullah Ubaid, Thohir Badri, Abdul Halim, with the guidance of Abdul Wahab Hasbullah. Those organizations became the seeds of the establishment of the Nahdlatul Ulama (NU) with the approval of Hasyim Asy'ari. Nevertheless, for a period of time, K.H. Hasyim Asy'ari seemed to doubt whether an independent organization for traditionalist Muslims was necessary in the midst of so many other Muslim groups. Perhaps he wondered whether its establishment would endanger the unity of the ummah. It can be assumed that Hasyim Asy'ari's agreement to found the NU was forthcoming, only after he was certain that it would not be harmful to the unity of the ummah [11]

During the early days of the NU, Hasyim Asy'ari and the organization adopted an accommodational approach towards Dutch authority, even though the latter was non-Muslim. This posture was undoubtedly rooted in the Sunni political doctrines developed by such political thinkers as the late Imam Ghazali and Imam Mawardi. Moreover, this stance was influenced by the example of Syarekat Islam and the hardships it

encountered when it opposed the colonial government. Consequently, at the third NU Congress in Surabaya (1928), a non-Muslim government was praised. The accommodational approach was also emphasized by Hasyim and the NU at its 1936 Congress in Banjarmasin (South Borneo). When asked if the land occupied by non-believers should be defended from external threat, Hasyim Asy'ari replied in the affirmative. It was stated that the East Indies could be regarded as still an Islamic country because it had always been the home of an Islamic people, even though it had been occupied by the infidels. Thus its status as an Islamic country was eternal [12]

As a leader of *Nahdlatul Ulama*, Hasyim also expressed his views on nationalism through his fatwa known as the Resolution of Jihad on October 22, 1945. The fatwa encouraged the spirit of struggle to defend sovereignty when allied forces including the Dutch who wanted to colonize Indonesia, Hashim Asy'ari as the great leader of NU (Rois Akbar) issued a decision as follows:

Appeal to the Government of the Republic of Indonesia to determine a concrete action and against the efforts which would endanger Indonesian independence, religion and the state especially on the Dutch side and its agents.

In order to continue the struggle of *Sabilillah* for the establishment of the independent Republic of Indonesia and the Islamic Religion [13]

Biographical SKETCH OF MOHAMMAD IQBAL

Mohammad Iqbal, born on 24 Dzulhijjah 1289 or February 22, 1873, in Sialkot, Punjab, and died on April 20, 1938. He began his elementary and secondary education in his hometown in Sialkot. In 1895 Iqbal left for Lahore to pursue his education until he obtained a Master of Arts (M.A) degree. In this city Iqbal studied at Maulana Mir Hasan, a great and famous scholar capable of mastering Urdu literature. He also studied at Thomas Arnold, an orientalist who according to many accounts influenced Iqbal and encouraged him to proceed to England. In 1905, Iqbal went to England and became a student at the University of Cambridge to study philosophy. Two years later (1907) he moved to Munich Germany. Iqbal holds a Doctor of Philosophy (Ph.D) in the field of Sufism with his dissertation, 'The Development of Mystaphysic in Persia'. In 1908, Iqbal returned to Lahore and was appointed as a philosophy lecturer in addition to his lawyer work. On his return to Lahore Iqbal gave lectures at various universities in India. His lecture materials were later published in the form of a book entitled 'The Reconstruction of Religious Thought in Islam' [14][15][16]

The result of his intellectual journey in the Western world encouraged Iqbal to redefining the thoughts that he contributed to Muslims, especially

in India-Pakistan. At least, there are three important things encouraging him as follows. First, the activities of Western life. Second, he gained a vision of many things that the Eastern world has not yet dreamed of, but have done by the West. Actually, the potential of the East world is quite possible for that, even more than that. Third, the life of a European man individualistic and materialistic often lead to intense competition without recognizing ethical and moral values, made Iqbal criticize the West. For him, many things are positive from Europe, but Europe is not an example the good one. In some ways, Europe is good, but Islam teaches better [17]

As a scientist and legal expert, Iqbal was not only engaged in academics and devoted himself to his profession as a lawyer, but he also actively involved in politics, even in 1930 Iqbal was elected President of the Muslim League. In 1932, he was appointed as a member of the delegation to the Round Table conference in London to form an Indian state constitution. In 1933 Iqbal was invited to Afghanistan to discuss the establishment of Kabul University. And in 1932 Iqbal also attended the Islamic Conference held in Jerusalem. Five years after Iqbal was invited to Afghanistan on 21 April 1938, Iqbal passed away [18]

The Views Of Iqbal On Religion, State And Nationalism

Iqbal was not only a scholar but also a poet, a politician and a thinker. In his capacity as a thinker, Iqbal had seen the various weaknesses of Indian Muslims. For those reason, Iqbal proposed concepts or ideas which at that time were seen as an advanced step of reform [19][20]

As a politician when he was elected to the Punjab legislature and in 1930 was elected President of the Muslim League, Iqbal initially accepted the concept of Indian nationalism whose people consisted of groups of Hindus and Muslims. This nationalism was formed on the basis of the cultural background of India. Iqbal's views are thus reflected in the poems that support Indian unity and independence and call for Muslims to join hands and shoulder to shoulder with Hindus in Indian homeland [21]

In this case, Iqbal still shows his attitude as a nationalist loyal to India as his homeland regardless of the background of religious differences held by the people of India. But Iqbal's nationalism attitude in subsequent development undergoes a change, especially after he learned and was acquainted with nationalism in the West. The idea of nationalism that once formed the basis of the struggle for the formation of an independent India was dismissed, for in the nationalism that existed in the West it contained materialism and atheism both of which posed a threat to humanity.

Indian nationalism that includes Muslims and Hindus according to him is a good idea but difficult to implement. Iqbal therefore worries and suspects that behind Indian nationalism is hidden the concept of Hinduism in a new form. This fact in accordance with Iqbal must be considered, therefore the demand of Muslims to have the state is a natural thing [22]

The desire to establish their own state for the Indian Muslims separated from Hindus is based on the bond of religion and belief. This was first promulgated by Iqbal in his address as President of the Muslim League on 29 December 1930. Iqbal expressed the hope of seeing Punjab, the North West frontier province, Sind and Balukhistan being one in a single state, having self-government within or outside the British empire. The establishment of a consolidated North West Muslim state as the ultimate goal of the Muslims, at least for North West Indian Muslims [23]

Iqbal's understanding of an Islamic state based on religious beliefs that aims to get freedom, equality and brotherhood, is very logical. This idea gained strong support from a very influential Muslim politician, Muhammad Ali Jinnah (who acknowledged that the notion of Pakistani State was adopted from Iqbal), was even supported by a Hindu majority who was in a desperate position in the face of England. (Hawi, 2016: 245)[24] Iqbal's central understanding of equality and brotherhood comes to the conclusion that democracy is the most important political aspiration in Islam. Therefore, this form of government makes it possible for human freedom to develop all the possibilities of its nature, while limiting its freedom to the interests of society. The success of a democratic system depends only on the willingness of members who are always subject to the law of God. To realize these goals required the guidance of a great leader. Unfortunately, Iqbal does not explain how the leader will gain power in a modern state [25].

The view of democracy leads to its nationalist attitude. He opposed nationalism as understood in Europe, not because it was allowed to flourish in India and subtract material benefits for Muslims, but because it sees in it embodied the seeds of atheistic materialism as the greatest danger to mankind today. Patriotism is a blessing that has a place in the human moral life. For Iqbal, nationalism about the Islamic world creates a special meaning because Islam is a minority in India. He had doubted nationalism could be realized because of the religious ideal in Islam which is related to the social structure. [26]

The social structure of Islam includes state, law and shari'a. Any nationalism that opposes Islamic social solidarity and life is unacceptable. Islam can accept the boundaries that separate one region from another and can accept the differences

of the nation just to make it easier about their peer relations. The boundaries and differences of the nation should not narrow the horizon of the social view of Muslims. The Islamic world is a family family consisting of the republics. Thus, Iqbal is not a nationalist in a narrow sense, but a Pan-Islamist. Not everyone agrees with the idea of Iqbal nationalism, which rejects such as Abu Hasan Ali Nadwi and Al-Mawdudi, and most scholars in India argue that nationalism and Islam are two opposing ideologies. Nationalism acts as a particularism opposed to Islamic universalism, regardless of the form of nationalism. While Abdul Kalam Azad, more wanted 'Composite Nationalism', consists of Hindu society in India. [27]

Despite the different reasons, Azad later agreed with Nadwi and Mawdudi and most scholars opposed the formation of Pakistan as a separate Muslim state and until the end of his life Azad joined Indian nationalism. With the affirmation of Iqbal it is clear that he is not a nationalist in a narrow sense but rather a Pan-Islamist. The form of the republic according to Iqbal is not only totally in line with the teachings of Islam, because the khilafah should not be centered on one person but also can be distributed to an institution or assembly consisting of selected people, the republic has become a necessity considering the new forces from the Islamic world [28]

The idea of Iqbal is 'Islamic dynamism'. It encouragement against Muslims to move further and not to remain silent. For Iqbal, this is the essence of life while the law of life is created. Iqbal called the Muslims to wake up and create a new world. He mentioned that an active and creative person although non Muslim is better than a sleeping Muslim. Iqbal also had a distinctive political outlook, persistent against nationalism that promotes ethnic sentiments. For him, the human personality will grow up and mature in a free environment and away from the sentiments of nationalism. [29]

Although Iqbal had devoted most of his thinking to understanding the political theories of Islamic societies and has expressed Pan-Islamism, Iqbal realized that the situation of the ages necessitates adaptation and Muslims have to set short and long-term goals:

Every Muslim nation must gain independence, take care of itself and raise its own house which will make it possess the strength necessary to carry out that purpose.

Gather together and form a strong one consisting of republics with a unifying bond that is spiritual Islam [30]

The principle of Iqbal between Islam, politics and religion are inseparable, because

state and religion are two separate ones. It is with this self-awakening movement that Iqbal can break the spirit of his people to rise from the current slump. He returned the spirit that once felt his glory by Muslims [31]

IV. CONCLUSION

The relationship between religion, state and nationalism based on the thinking of the two figures discussed in this paper can be concluded that Hasyim Asyari finally when ahead of independence more prioritizes Islam as the ethical value to build nationalism and state otherwise Muhammad Iqbal tends to make Islam the main principle in raising state and nationalism. Hasyim's view of nationalism strengthened with the *fatwa* of Jihad's resolution on October 1945 and influenced the formation of a nation-state. Despite its predominantly Muslim state, after proclamation he did not impose Indonesia as an Islamic state. It is different from Iqbal's idea which the establishment of Islamic state as a form of Muslim solidarity (ukhuwah Islamiyah). This idea tends to potentially eliminate the nature of tolerance to the nation and other religions. His view contradicts the assertion that Islam is a doctrine that knows no boundaries of race, religion, and geography, but contains universal principles. However, the idea of Iqbal is ultimately able to be realized with the establishment of a Pakistani Islamic Republic which was previously part of the Indian state.

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Biculturalism Among Indonesian Lecturers of Arabics of State Islamic College in East Java

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Abstract—Recently sociopragmatic study has been aimed to investigating phenomena on contemporary communication activity among group of people. As Leech (1983) suggested that human communication behavior is inseparable from the socio-cultural context in which the communication is occurring. One who speaks two languages or more is very likely affected by two cultural contexts of both mastered languages as he communicates with his fellows. This study aims to describe, analyze, and interpret the cultural tendency of Indonesian lecturers who teach Arabics, whether they are monocultural or bicultural in using Arabics as they are doing daily interactions with their counterparts. Particularly, it tries to investigate whether they tend to hold on their native sociocultural norms and values, i.e. Indonesian-Javanese, while they are communicating in Arabics or else they apply Arabic culture in using Arabics as the consequence of his mastering Arabics. Methodologically, the data analysis of the study was quantitatively approached. To come to the conclusion on whether the Arabic lecturers tend to be monocultural or bicultural in using Arabics, the writers applied inferential statistics. Finally, the results of the study show that the Indonesian lecturers teaching Arabics in State Islamic Colleges in East Java tend to be monocultural. It implies that they are using Javanese-Indonesian sociocultural norms and values as they are communicating in Arabic language, and thus suggests that they have low sociopragmatic competence of Arabics.

Keywords: Indonesian lecturers of Arabics, sociopragmatic competence, biculturalism

I. INTRODUCTION

The latest prescription of the aim of teaching language which is formulated by linguists, especially those of functional linguistics, is that the success of language learning is not sufficient to be measured merely with the indicators of linguistic competence such as handling problems of lexicogrammatical, system phonetic system, sentence order, and meaning of a language being learned. An individual can be said to be succeeded in learning a language when he reaches a point of literacy or commonly called as discourse competence. In another word, a successful language learner is a learner who can understand, master and obtain a discourse either oral or written effectively in any social interaction or daily communication.

Discourse competence is actually almost similar to the communicative competence, but the

first-mentioned has a wider coverage (Djarmika 14:7). Communicative competence refers to the knowledge and skill which are needed in a communication that covers some components such as grammatical competence, sociolinguistic competence and context competence (Nunan 1993:10). In this case, discourse competence covers competences as follow: (1) linguistic competence, (2) sociolinguistic competence, and (3) culture competence. Briefly, it can be explained that linguistic competence is a learner ability in comprehending and mastering linguistic system starting from phonological system, syntactic system until semantic system.

Problems raised in this study deal with the attempt to encourage success of development of discourse competence in Arabic, especially related to the culture competence of Indonesian lecturers of Arabic. This review is focused on the tendency of cultural behavior of Indonesian lecturers teaching Arabics in State Islamic Colleges in East Java in speaking Arabic, whether it has met the socio-culture rule or norm of Arabic. Particularly, this study aims to reveal whether those Indonesian lecturers teaching Arabics (DBA) have knowledge of competence of communication that are appropriate with rule and norm of politeness of Arabic-speaking. Through revelation of knowledge and competence then it makes inference whether the lecturers have a tendency of bicultural behavior (of Indonesian-Arab - culture of monocultural (Indonesian-cultured only)). Practically according to the writer, detection of cultural behavior of the DBA are very important to get empirical view on cultural tendency of the lecturers as a foundation in planning any strategic programs that support attempt of development of discourse competence, especially aspect of sociocultural competence in teaching system of Arabic in our Islamic schools.

METHOD

Methodologically, problems raised in this study were approached with quantitative approach because the final result are (1) generalization to the perception of politeness of Indonesian lecturers of Arabic, as subjects of research, to the speech that does not contain directive act and (2) inference to the sociocultural behavior of respondents in using Arabic politely. The method used is descriptive inferential in order to get the generalization and inference the researcher relies on statistics as a main tool of numeric data analysis which represent politeness degree of their speech and value of politeness perception that they give to any kind of statement containing illocution directness degree and certain politeness.

The data source in research is classified into initials P (Person, Place, and Paper).

P = person, data source are in the form of person, where data source that can give data in the form of oral answer via interview or written answer via questionnaire.[1]

Related to the data source, the researcher explores data from review of literature and field research. Review of literature is a study conducted through study of literature by reviewing literature related to problems discussed.[2] Besides, researcher also takes some manual books, brief history, epigraph of magazines, from research object and another book contained in manual book. The data were collected by conducting an interview and distributing questionnaire to the Indonesian lecturers of Arabic in UIN Maliki Malang, IAIN Tulungagung and STAIN Kediri, observation and document analysis.

The determination of data source in this research is conducted as an attempt to obtain data as relevant and accurate as possible with the expectation of research discussion of this study in order to be appropriate with the purpose that wants to be reached. Data source involve parties that will become informant on phenomenon that will made as research attention. [3]

- 1) Primary data are the original data that contain information directly obtained by using interview guide from data source or informant, namely: Indonesian lecturers of Arabic in UIN Maliki Malang, IAIN Tulungagung and STAIN Kediri
- 2) Secondary data are supporting data which are obtained indirectly by informant. It can be through documents, reports and other sources which have relevance with research object. Students, Head of Arabic Education Department, Head of Arabic language and letters, Head of Arabic development institution in Indonesian lecturers of Arabic in UIN Maliki Malang, IAIN Tulungagung and STAIN Kediri.

The data of this research were collected through doing Observation, Interview, Documentation, and Questionnaire. The data obtained through questionnaire were further tabulated and quantified to be analyzed quantitatively, with statistical computation either descriptively or inferentially.

RESULT

Form of Directive Speech in Arabic uttered by Indonesian lecturers of Arabic in State Islamic Universities in East Java

Results of data analysis show that most of directive forms in Arabic (BA) used by Indonesian lecturers of Arabic (DBA) consist of speech unit that form a set which one of them containing directive illocution. The directive speech in Arabic (BA) can be divided based on:

the form that contains different directness degree and (2) supporting segment of illocutionary act that functions as a mitigation tool to the illocutionary power of speech. Form of directive speech with nine varieties of illocution degree and that supporting segment is identified based on design of work Blum-Kulka (1989). From the result of data analysis, it reveals that directive speech of BA expressed by DBA which are selected in instrument of data collection with TMW contains few kinds of directness degree.

Generally, the findings of the research are, first, not all of directive speech forms proposed by Blum-Kulka (1989) are used by DBA in responding some situations that represent some constellations of social context in real life. There are six out of nine forms used by DBA in responding six stimulative situations presented in TMW in selecting data of directive speech in BA. Those six forms are I, PT, PI, PS, PK, and IK. The rest forms i.e. PW, PP, and IL are not used by DBA. Besides, there is one form excluded in classification of Blum-Kulka which is used by DBA, namely passive form. Second, the form that is mostly used is imperative, at and the least is passive form at 20 (3,4%). Third, each of PT, PI, PS, PK, and IK forms is used by DBA in a row 69 (11,8%), 39 (6,7%), 12 (6,6%), 157 (26,7%) and 38 (6,4%).

Thing that need to be noted in findings on the forms of directive speech used by DBA is that almost of all forms of directive forms, which is 94% that is used always accompanied by tool of mitigation. Only small part, which is 6% only, which is not accompanied by tool of mitigation of illocution power. What is meant by tool of mitigation of illocution power in this case is any lingual units in the form of word, phrase, or clause that are presented by speaker as a choice in his statement in order to give effect of extenuation or strengthening to power

of imposition to listener ²⁰ it increases politeness degree of speech. Therefore, partner of speech cannot be blamed if there is failure of T act because that failure is merely because the requirement of that carried out-T act which is not fulfilled. Diversion of focus of responsibility from the speaker to requirement of that carried out-act that decrease impositive power in speech. The example of use of this tool is explained as follow:

عاضلا دیرا ، لایلق ثدحتلا دیرا متحمس ول یدیس ای اوفع
مکنم Excuse me, Sir, *Jika Anda berkenan*, I want to talk a little bit, I need a signature.

Tool of act requirement in that speech in the form of phrase *Jika anda berkenan*. The existence of this phrase gives an effect of soft or polite sense to the partner of speech because the speaker gives a choice to the speaker to reject the request.

ءاملا کیبلا ذخ یدلو ای means: my deay son *please* take a drink for your father

Tool of mitigation that is often to be used by DBA to soften illocution power of directive speech is a clause that contains a reason. This tool is used to modify directive speech in order to be more pol²¹.

راح ءاوهلا ، بابلا حتقا یهف ای
 open the door, it's very hot.

The last is tool of mitigation of *readyness of speaker*. This tool is used by DBA to soften directive speech because this tool is an effort of speaker to know whether the situation and condition faced by partner of speaker enable him to do T act in granting rule or request of speaker. The example of use of of this tool by DBA can be presented in data as follow.

یل نذات نا کنم دیرا ؟ غراف تنا له ؟ یدیس ای لاحلا فیک
قیلودلا قودنلا کر تشا نا means How are you Pak? Are you busy? I ask you to give a permission for me to join a seminar in abroad.

Politeness Hierarchy of any Directive Speech in Arabic and Bahasa Expressed by DBA

As explained in part of data²² analysis obtained from questionnaire, the result of computation in descriptive obtains (1) mean of assessment done by Indonesian lecturers of Arabic to each form of statement that contains directive speech act in Bahasa or Arabic (2) mean of assessment of directive speech of Javanese done by a group of Indonesian students of Arabic and DBA as group of comparator. Result of data analysis can be explained as follow.

Respondents to the forms of directive speech in BA is IK, is at 7,56 while in Bahasa (BI) fall to the same form that is 7,46. Regarding this, it is also known that lowest mean of politeness in directive speech either in BA or BI fall to the form of Imperative (I),

which each is at 1,65 and 2,51. If it conducts computation of mean of mean difference in each form of directive form in both languages meant so it obtains mean difference at 0,74. From that number it can be inferred that score difference of politeness of directive speech forms given by responders in BA or BI can be categorized small if we compare with a unit of scale rank that has (1) point only. Because the whole scale amount to 9 rank, which are score 1 to 9, it means that difference mean is still smaller than median of scale (0,74<1).

4), even smaller than one scale rank (0,74<1).

At least it finds facts such as: (1) forms of speech of I, PW, PI, IK are in same position in those two hierarchies, which each is in the position of 1, 2, 5 and 9 while (2) forms of speech of IL and PT change its position which each is in the third and fourth position in BA hierarchy and 4 and 3 in hierarchy of BI; (3) forms of speech of PP and PS; each position is shifted one level, which is in the 6th and 7th positions in hierarchy of BA and 7th and 8th positions in hierarchy of BI; and (4) form of PK is in 8th position in hierarchy of BA and fall into two levels which is in 6th position in hierarchy of BI. From fact (1) we can conclude that 4/9 almost a half of whole hierarchies of BA and BI is the same.

Statistical Test of the difference between the order (hierarchy) of politeness degree of various directive speeches in Arabic and Bahasa expressed by the DBA

There is a similarity between politeness hierarchy of directive speech of BA and BI obtained from the assessment conducted by DBA. Though two th²³gs are very similar it cannot be said the same. Numerically, the result of the assessment in the form of average numbers given by respondents to the forms of directive speech in BA and BI looks different. However, are the differences of the DBA scoring numbers significant?

After doing computation with Chi-square procedure, it is known that the calculated value is 0.91. In degree of freedom (df) 8, the value is not significant because it is much smaller than the significance level at $p < 0.05$, ie 2.73. Thus, it can be concluded that there is no significant difference between both assessments. Thus, it can be concluded that both hierarchies of politeness assessment on forms of directive speech of BA and BI by DBAs can be considered the same.

The Cultural Background Tendency of the DBAs in Expressing Directive Speech Act of BA

Having come to the conclusion that the two hierarchies of politeness in BA and BI are the same based on: (1) four facts of forms order of directive speech in BA and BI show the similarity and resemblance of position, and; (2) Inferential statistical test with Chi-square indicating that the difference between the two hierarchies is not significant, then based on these two conclusions, it can be interpreted that the DBAs use the same cultural norm in assessing the level of politeness of various forms of directive speech presented.

One important aspect for the basis of inference withdrawal is related to the hierarchy or the order of rank of politeness of those directive speech forms in the two assessments that have given by those two groups. The facts indicate that: (1) there are two forms of speech, such as PT, PI and PS which are at the same order positions in both hierarchies, each is at 4th, 5th, and 7th positions; (2) speech forms of PW and I exchange positions of 1 and 2, which are also experienced by forms of PK and IK, which are at positions of 8 and 9; (3) the form of an IL speech positioned at 3rd position in the DBA's hierarchy and at 6th position in the KP hierarchy; (4) the form of PP speech is at number 6 in the DBA's hierarchy and at the 3rd position in the KP's hierarchy.

From some of these facts we can get inference as follows. Fact (1) Hierarchical similarity only occurs about 2/9 or about 20 percent of the overall hierarchy. Fact (2) is the occurrence of position exchange of speech form I, PW, IK and PK that show different hierarchy. Finally, the facts (3) and (4) seem to beckon a hierarchical difference due to a three-level shift, the IL drops three levels and the PP increases three levels.

2

It has been presented previously that the results of the study in order to answer the four main problems that become the focus of the study are (1) The form of the directive speech used by the Indonesian lecturers of Arabic at State Islamic University in East Java tend to take the form of direct speech act which is mitigated by some specific language-based politeness tools (2) The hierarchy of politeness degree of directive speech in Arabic and Bahasa shows similarity of degree of illocution; (3) There is no significant difference between the hierarchy of politeness hierarchy of directive speech in Arabic, Bahasa, and Javanese perceived by the DBAs based on Chi-square statistical test with $\alpha=0,05$; (4) based on that statistical test it can be concluded that Indonesian lecturers of Arabic in State Islamic University in East Java have a non-cultural Arabic mono-cultural tendency.

Related to the findings on the form of directive speech of BA and order or hierarchy of politeness of BA and BI perceived by the DBA it can draw some theoretical implications as follows. First, the form of the directive speech in BA and BI used by DBAs is not one hundred percent reflecting all types of directive speech stated by Blum-Kulka (1989).

Both experts claim that in general the directive speech in English or other European languages can be distinguished according to the scale of their indirectness, namely (1) the direct form, (2) the conventional indirect form, and

the non-conventional indirect form. The direct form is divided into five categories, namely: (1) imperative mode, which is speech whose illocution power or function can be directly captured through its grammatical aspects; (2) explicitly performative, which is speech whose illocution power is mentioned explicitly in performative verb in the speech;

a hedge performative, which is speech whose illocution power is softened by hedged utterances (4) statement of obligation, which is speech that require hearer to do an action requested by the speaker, and (5) a statement of intention, which is a speech that contains the speaker's intention to the hearer to perform an action.

Conventional indirect forms include

a statement of suggestion, which is a speech that contains a suggestion for performing an action; (7) readiness statement, which is a speech that contains a reference to the condition of the hearer related to the ability and willingness to do something. Furthermore, the non-conventional indirect form, which can be specified into (8) strong cue, namely a speech that contains partial reference to the object or

element required for performing an action, and subtle cue: speech that has no reference at all but it can be understood as an act of requesting through its context.

Based on these findings we can draw the following theoretical implications. The DBAs, allegedly using Javanese cultural norms in expressing directive speech act in both BA and BI as has been proven statistically, it has a tendency to choose direct speech acts containing pragmatic ambiguity. The point is that his speech tends to avoid the pragmatic ambiguity. In this connection Brown and Levinson (1978: 69) explain that the form of the utterance contains one unambiguously attributable intention with which witnesses would concur. However, it should be noted that, the data beckon this utterance is used by interlocuter who has a lower power factor or who has been viewed as a familiar person. However, these two types of interlocuter are still treated politely because the direct form used is always accompanied by a tool of softener of impositive power of speech contained in it.

The uniqueness that should be noted regarding the use of direct speech acts is that there is no response using a form of obligatory or compulsory statement. It seems that this form is avoided by DBAs with a Javanese cultural background because this form is seen as less subtle because it contains a forced power (*coerciveness*) that is usually encoded with compulsory or must. The use of this form by the speakers in expressing the act of commanding or requesting will seem impolite or disrespectful to others because in the Javanese culture it applies the principle of respect in social interaction.

The findings on the form of the directive speech used by the DBA in the conventional indirect form, which is the form of a statement of suggestion and the readiness statement of interlocuter, is also interesting to be analyzed further. The use of both forms strengthens the interpretation that Javanese represented by DBAs tends to obey the principle of Grice cooperation (1967), which affect in the effectiveness of communication because people who speak with this guide of principle will provide information correctly, sufficiently, clearly, concisely and blatant. In short, people who speak with the Grice's principle of cooperation will be able to communicate in a straightforward so there is no miscommunication.

When comparing between the order of politeness of the research results and the order of politeness based on the Blum-Kulka's theory above we can get the facts (1) only in the order of 1 and 5, the form of I and the PI are in the same rank, 2) IL is considered the most polite in theory that is at the top position fall into the the lower half position, when viewed from the median of 5, on the results of this study, (3) the form of PP that is in the 3rd position, or the lower half of the hierarchy, in the order of theory crossed to the upper half-position on the results of the research, which is 6th and 7th positions, (4) PW which is in the 4th position on the theoretical order falls into the 2nd in the order of research results, (5) PK which is in the 7th position on the position of the theory order shows the inconsistency of the position on the order of research results that goes down at 6th position in BI and raises one level at 8th position on BA.

Furthermore, it can be inferred that that the indirectness of speech is not always in line with the level of politeness. The implication is that in assessing the politeness of a form of speech, members of a society with a particular cultural background are not always based on the degree of directness of the illocution contained in the speech. There are people who seem to be familiar with direct speech in expressing their directive act because they are considered more straightforward and polite. There are also people who prefer less indirect speech in making requests, orders, or suggestions but do not need excessive inconsistency, for example using weak cue because it can be regarded as a satire. If this happens the extreme inconsistency is turned into impoliteness because it can cause irritation to the partner of speech.

IV. CONCLUSION

Based on four problems which are investigated, it can be concluded that:

The form of directive speech used by Indonesian lecturers of Arabic in State Islamic University in East Java tend to be in the form of directive speech act mitigated with some tools of politeness of certain languages.

Hierarchy of politeness degree of directive speech in Arabic and Bahasa show a similarity of illocution degree.

There is no significant differences between hierarchy of politeness degree of directive speech in Arabic and Bahasa and Javanese perceived by DBA based on *Chi-square* statistical test with $\alpha=0,05$; and

based on that statistical test it can be concluded that Indonesian lecturers of Arabic in State Islamic University in East Java have mono-cultural tendency of non-Arab culture, which is likely Javanese culture.

Therefore, they tend to use non-Arab socio culture norm in expressing any directive speech in Arabic. The implication of this situation gives a lack of mastery of aspect of socio-pragmatic of Arabic they have that need to be improved further.

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Build Tolerant Moslem among Pluralism of Indonesian

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Abstract— Intolerance, that issue is happened to people of Moslem in Indonesian for nowadays era, supported by the presence of sophisticated technology such as social media. By this, people are led to a system which has been set by the rulers of the media, them whom hold the media in dominant. This leads a problem to society to practice intolerance that radically drives Moslem to be radical and builds a bad socialization among societies who are different with them. This one becomes a trouble because Indonesian applies „Bhinneka Tunggal Ika” as the motto which represents the pluralism among people. Hence, it is needed to build the concept of tolerance as *tasamuh* which becomes one of the doctrine from Islam itself. All of those are led to build a harmony people among society, moreover the Indonesian nation who has a lot of pluralism and different background from one district to another one. By conducting a library research and observation in social media, this research has been conducted.

Keywords— tolerance, pluralism, Moslem, Islamic Doctrine, Indonesia

I. INTRODUCTION

As the starting point, it is good to reflect the nowadays era which is commonly called as millennia era. By the new age of human's revolution, this also affects to the existence of newest technology which is actually purposed to ease the peoples' life. One of the technology which offers a lot of benefits for human kind is gadget, smartphone.

The presence of smartphone throws the time and room as the limitation of people to communicate one another. By connecting using social media, people can easily contact one person to another one infinitely although they are in a different place. However, it cannot be rejected that besides brings the benefits, smartphone especially for the attendance of social media also takes a part for its bad effects.

One way that leads people to be touched by the negative impact is caused by they can easily access, download, share and take anything they want from social media. The common people who have no

idea about the truth which should be obeyed cannot filter and cannot take the positive points. As the victim, they take it nakedly without comparing news to other news. Moreover, the hoax news can grow prosperously by people because of having no consciousness of being critical in facing news.

The presence of social media also build a new mental of people among the world, that is talk active *netizen* which is usually called by „*nyinyiran*”. They have freedom to explore their mind and thought from their account. Hence, it causes haters are built massively from a pseudo world of social media. This world also drives the nations mental into a bad mental, which is indicated to irresponsible, become a fanatic man without trying to compare one issue to issue to make sure that what he believes has been matched to the values and norms of the religion, nations, and country. Hence, this is an important thing to be done to be a wise user of gadgets to make it as the useful tools, not vice versa.

In the pseudo world, peoples of Indonesian, mostly for Moslems can be detected what cluster they are. They have been divided into several huge clusters either consciously or subconsciously. This can be observed by the arguments of peoples which show their hate and stated in social media. By this, it might lead us to open several references about the classifications of Moslems in Indonesian based on their tendency. According to Mujamil Qomar^[1] (2015) several sects of Islam can be found such as Islamic Liberalism, Islamic Fundamentalism, Islamic Moderate, Islamic Traditionalism, Islamic Modern, Islamic Methodology and many other classifications.

Beginning from those clusters which were mapped by the experts, then it can be seen the Moslem peoples of Indonesian who were quarreled one another in social media are them, who have different thought and the public figure as the model which is obeyed. This one also impacts to the side of relationships of peoples in Indonesian one another in different belief. As a multicultural country, this issue drives a great crack toward the

wholeness of nation. Moreover, peoples are fed by huge hate which is aimed to crash their good relationship. This issue might also be led by the political issue of Indonesian which is going to be held in 2019 later. This one also takes a part of inserting religion to the political issue. One of the data for this, there can easily be found hundreds tags of #2019GantiPresiden or the vice versa, #2019TetapJokowi. This issue should be solved into a good approaching in order to minimize less than erase the entire hate among peoples. It is also expected that the hate news or hoax can be minimize properly in the belief of Moslem in Indonesian.

Identification Problems

From the phenomena which have been stated above, then the problems are:

How are people lead to be dismissed in understand the values of Islam based on the broadcasts of news in social media?

How are the relationships of people of Indonesian Moslem moreover in the presence of social media?

How is the tolerance or *tasamuh* value in facing the variant of people in Indonesian after the coming of sophisticated media?

How to maintain the precept of Islam and the value which are taught from Indonesian?

The Purposes of The Study

The goals of the study here are:

To describe the reasons of the dismissed understanding the values of Islam based on the broadcasts of news in social media.

To mention the relationships of people of Indonesian Moslem moreover in the presence of social media.

To state the tolerance or *tasamuh* value in facing the variant of people in Indonesian after the coming of sophisticated media.

To argue the ways to maintain the precept of Islam and the value which are taught from Indonesia.

II. METHOD

This study applies a library research. Therefore, the data of this research are the arguments of peoples which are submitted from some existed documents. Those are books and several scientific journal articles. Besides trying to find any data, this study began with an observation of the social conflict from the social media. Hence the researcher took an observation about the existence of hate messages which are spread out easily among the social media.

After finding the problems, then trying to face that issue, the researchers found several relevant references. To select those relevant references, the

researchers used the topic as the direction to get the data. So, by this the researchers found the relevant data which is needed.

To analyse the data, the researchers investigate the content of each arguments through the reality of nowadays era. Hence, there was a dialogue between either literatures or the empirical experiences moreover from the existence of gadget which show the growing of the hate among society.

III. RESULT AND DISCUSSION

Discussing this topic, it is interesting part to begin with the discussion from the history of Islam. When looking back what has been written in the history of civilization of Islam, it can be seen the relationship among Islam and other beliefs, the focus is for Jews and Christian. Although there was written the existence of Cross War between Moslem and Christian which is believed that it is the proof of their enmity. However, far away before it was happened, that should be opened again from the book of history moreover The Koran itself for the relationships of Moslem among them.

Jews, Christian and Moslem have a strong relationship to this discussion because of it can be the basic floor to be stepped. Actually, Islam can be categorized into Abraham religion. By this, it can be concluded that Islam actually came to complete and continue the previous religions, they are Jews and Christian. By there, as a Moslem, it should be obeyed every policy in Koran and Hadith as the main sources of Islam. Their existences are represented into Koran and Hadith. However, it cannot be denied that Moslem cannot be submissive to them just because of it. It is stated based on the arguments of ... who stated ...

For additional statement, Nurcholis Madjid (Abdurrahman Wahid et al, 1993: 91)^[2] shows his argument that

—Based on *the* Islam, as we have already known in Koran, claimed itself as the continuity of Abraham religion, and this religion raises religions before Islam, that is Jews and Christian. We have already known there are a lot of questions in Koran which demand to believe the previous prophets (before Mohammed pbuh), we should not separate and differentiate them among *amamah* the messenger of God (Koran 2: Verse 285). We are also commanded to believe for the previous holy books.^[3]

The statement of Nurcholis Madjid above actually came after Mohammed Abduh showed his mind in *tafsir Al-Manar* where the content of that *tafsir* erased nor the *israilliyat* neither *nashraniyyat*. Then, to criticize it, Nurcholis Madjid said that Muslim cannot dismiss the

existence of previous religions above. He also emphasizes that since the emergence of Islam, the previous religions have conducted *tahrif*, where it means that there is any alteration in it. For this, he also gives his mind which begins from a hadith stated —*Terhadap orang-orang ahli al-kitab itu, jangan membenarkan tetapi jangan pula membohongkan.*” (Toward the holder of holy book, do not grant nor judged). Moslem should be objective that every single verse of their holy book cannot be judged whether they are true, it is happened to anticipate the existence of *takhrif*, nor judging them that it is not true because of it might be an authentic revelation from God.

For another reference, there was found a statement of Faisal Ismail^[4] (2016: 51) about the similar issues. He argues that the existence of Jews and Christian also should be confessed. It does not mean that Moslem should believe their belief, no, it means that they also teach the monotheism of God, from The previous prophets, Mose and Isa. What is strengthen by Faisal here means that their doctrine which touches into *akidah* and *tauhid*. They teach to worship in one God. What should be ignored here is actually any paganism which is believed by polytheism, such as what has been lectured by Zoroaster (Zarathustra) as the founder of Majusi religion who worships to The God of Fire. Here, Zoroaster symbolized the God into two parts, first is believing in The Goodness of God (Ahura Mazda) then the second is believing in The Badness of God (Ahriman). This is totally rejected by Koran because of *tauhid* just believes in monotheism, there is no god but Allah.

It should emerge new question about Hindu and their Gods. Ni Wayan Karismayani, I Wayan Darna and Marsono^[5] (2018: 2) emphasized that their belief (Hindu) is actually based on the monotheism. They state —*...bagaimana memusatkan perhatian, memusatkan pelayanan bakti kepada Tuhan Yang Maha Esa.*” (How to centralize the attention and centralized the serving of obeying through The Only God). This must also be based on the first point of ideology in Indonesia that is Pancasila which is stated “*Ketuhanan Yang Mahaesa.*” (There is only One God). By this, there should be emphasized that Moslem in Indonesia surrounded by other beliefs. People should plant tolerance to them in order to respect their own belief.

Abdul Jalil et al^[6] (2000:4-5) argues that one of the verse of Koran which admits the existence of pluralism in Indonesian. That is QS. Al-Maidah 48.

(And We have revealed to you, [O Muhammad], the Book in truth, confirming that which preceded it of the Scripture and as a criterion over it. So judge between them by what Allah has revealed and do not follow their inclinations away from what has come to

you of the truth. To each of you We prescribed a law and method. Had Allah willed, He would have made you one nation [united in religion], but [He intended] to test you in what He has given you; so race to [all that is] good. To Allah is your return all together, and He will [then] inform you concerning that over which you used to differ.)^[3]

For addition, he also quoted another verse of Koran that is QS. As-Saba': 25: ^[3]

Therefore, the presence of Koran and Hadith came with a lot of issues which happened in the Mohammed's era, however they would be flexible in every period in the world. Thus, this arguments actually tries to emphasize that Moslem need to learn Koran deeply either from the meaning and *tafsir*. To see those realities, it is needed *tafsir* to overcome that problem. It is a way out to contextualize the Koran within the era which is faced by Moslem. To this, there are various *tafsir* methods in learning Koran and Hadith. As a Muslim, we should be a good Moslem by learning the Koran deeply by *tafsir* or discussing it with the expert in order to get the real meaning of God. Islam is a religion of God, let us show the value of religion of Islam to the society. It is actually a necessary to compare one another in order to find which one is the most appropriate way to be practiced based on The Koran and also the doctrine from The Prophet Mohammed pbuh.

The respect of pluralism among people in Indonesia has been modelled by one of an elder (kiai) in East Java, he is Kiai Sholeh^[7] (M. Muntahibun Nafis, 2017: 5). In this research, M. Muntahibun Nafis shows how Kiai Sholeh applies the pluralism values. He is common to be invited by Church to give any speech among Christian. This one started by the awareness of the reality which cannot be rejected, that is pluralism moreover in Indonesian who has various ethnics, cultures, backgrounds and many other. One if this example can be used as a modal to face the pluralism of the nation.

Besides, in Koran also we can find a command to respect the neighbours in the neighbour^[8]. Abdul Aziz al-Fauzan^[8] (2007: 303) (Koran An-Nisa verse 36). (Worship Allah and associate nothing with Him, and to parents do good, and to relatives, orphans, the needy, the near neighbour, the neighbour farther away, the companion at your side, the traveller, and those whom your right hands possess. Indeed, Allah does not like those who are self-deluding and boastful.)

Al-Hafizh ibn Hajar in Abdul Aziz al-Fauzan^[6] (2007: 303) explains that the word ‘neighbour’ includes to either Moslem neighbour or non-Moslem neighbour. Hence, this Koran actually leads the Moslem to build a great interaction of one

Moslem to another one. It has a decency to make a concord life among society.

The existence of pluralism cannot be rejected, moreover for the society in this nation, Indonesia. Syamsun Ni'am and Anin Nurhayati^[8] (2018: 9) defines pluralism as the term of 'melting pot' from USA or 'multi culturalism community' from Canada and 'composite society' in India. Those terms gives the stressed points to the respect and appreciate the heterogeneous of society. For addition, they also add that by practicing egalitarian values, it is expected an awareness of the similarity and respecting the variety of religions, racism, ethnic, and also for class of society (2018: 9).

Those issues can be categorized into sociology point of view. Sociology here was emphasizes by Ishomudin^[9] as:

—Sociology is a study about society which represents the characteristic or *peoples* habitual in a group of society within every activity and their customs and also important agency that is why people can be developed and keep being useful in the life of human kind.

Besides, Jalaluddin Rahmat in Abuddin Nata^[10] states that actually, Islam has an awareness in society. There can be found a lot of verses of Koran and Hadith which have *muamalah* value. Nasroen Harun^[11] argues whether in the fikih perspective, *muamalah* can be defined as:

(The law which relevant to the law of man in the world's problems. For example, in the contract of sale, debt, cooperation, union, cooperation in managing land and rent)

In this first point, Islam teaches its ummah beside paying attention to the *tauhid* value from *hablumminallah*, Islam also teaches in *hablumminannas* which has been stated neatly in Koran. One of them is from Koran Al-Mu'minin 1-9.

—Certainly will the believers have succeeded (1). They who are during their prayer humbly submissive (2). Are they who turn away from ill speech (3). And they who are onservant of zakah (4). And they who guard their private parts (5). Except from their wives or those their right hands possess, for indeed, they will not be blamed (6). But whoever seeks beyond that, then those are the transgressors (7). And they who are to their trusts and their promises attentive (8). And they who carefully maintain their prayers (9).^[13]

By those points, it was stressed that Islam still has a policy besides worship individually, one sign of a believer is also giving attention to social aspect.

Based on the definition above, there, society keeps growing in the relationship. Several problems of course can appear here such as the

growth of intolerance massively. This one can be seen that actually by looking at the history and trying it to dialogue within nowadays issue can impact to the way people interact one another. By understanding the issue above, then the values of Islam do not force and being radical to share its mercy. Just the opposite, when Moslem shows their radicalism it scores out the goodness of Islam itself.

This also should be a way out of values to interact among the pluralism of society. So Moslem can accept their belief without believe what they believe, and also respect what have been chosen by them. So, the harmony of people in the nation of Indonesian can be practiced although we have different background, religion, racism, and other pluralisms.

IV. CONCLUSION

By taking several points above, then it can be concluded whether mostly, Moslem of Indonesia were gotten a bad impact which was brought by the technology. Therefore, Moslem relationship of one to another class of society has a distance because of the misconception in understanding news to another one which were shared in social media. Mostly, they blame other group of society which have no similar thought with them. By this, it can crack the harmony of the nation, either for inner and outer of relationships among the nation of Indonesian. By intolerance too, this drives people to contradict in understanding the verses of Koran and what The Prophets (pbuh) commanded. It is necessary to give them an understanding about what is exactly taught by Islam is in line through the national ideology which respect the pluralism among peoples in Indonesia. Because it has been known whether Indonesia was built by variety of people within ethnic, religion, racism and many other aspects. The existence of variety should not lead a decaescence. However, it should drive a richness which is had by Indonesian. So, plant the values of tolerance plays a significant role among society of Moslem in Indonesian.

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Building Social Cohesion and National Identity Against Radicalization and Terrorism

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Abstract - The aim of this research is to build social cohesion and national identity against radicalization and terrorism activities in the multicultural society of Kampung Pondok in Padang City. The subject of this study was the entire of youth society at Kampung Pondok. Data of this research was collected by using the open ended interview form, observation and focus group discussion. The data analysis of this research used explorative analysis. Research findings reported that there are many ways in building social cohesion and national identity against radicalization and terrorism those are involving all youth into positive local custom activities and building a trust framework, equal citizenship, and inclusion. The good manner for youth can be conducted by 1) constructing the deradicalization strategy to counter terrorism through a civic education service, 2) outreaching youth by understanding Islamic teaching well and respecting other religious norms in the regional community of multicultural, eroding the bonds of fanatic trust and ethnic among multicultural society in Kampung Pondok. This research was expected become a prefer strategy by local leaders in the building of a conducive interreligious relation, social cohesion and national identity for the multicultural people in Indonesia.

Key words - Social Cohesion, National Identity, Radicalization, Terrorism

INTRODUCTION

The Indonesia region has been making some progress, although it has been uneven across and within countries, towards reducing poverty and inequality, strengthening democratic governance, protecting the environment and building resilience conflicts. However, maintaining whatever has been achieved and expanding the coverage of the success is complicated by the recent political reformation, compounding the effects of other existing conflicts and historically rooted social tensions. The old and new conflicts, crises, and transitions threaten human security on multiple levels and even appear any kinds of radicalization and terrorism.

Radicalization continues to be a dangerous issue for the countries in the world and become an

important concern, especially in conflict countries such as in the Middle East and the developed countries that trigger conflict and dissatisfaction to their policies. The radicalization movement that originally appeared in the conflict countries of the Middle East and then spreading to other Muslim countries, including Indonesia as the largest Muslim country in the world. Yet western countries were not spared from their attacks. The increase in casualties caused by suicide bombing terror appeared tragic trauma to the community [1]. The radicalism movement continued to cause hostility as a form of dissatisfaction with American policies and its allies and the emergence of rebellion over the countries in the Middle East a violent [2].

Terrorism is a threat to all States and to all peoples; terrorism poses a serious threat to security, to the values of democratic societies and to the rights and freedoms of citizens, especially through the indiscriminate targeting of innocent people. Indonesia has been victim of some of the largest and most significant terrorist attacks of the last several decades. MailOnline is reported that the current terror attacks and killings in Indonesia since 2005 up to 2016 among other Series of suicide bomb and a series of car bombs exploded at two sites in Ambaran Beach Resort and in Kuta, Bali[3]. The terrorist attack claimed the lives of 20 people and injured more than 100 others. The three members also died in the attacks on October 1, 2005, JW Marriott and Ritz-Carlton Hotels in Jakarta, were hit by separate suicide bombings five minutes apart. Three of the seven victims who were killed were Australians, two from the Netherlands, and one each from New Zealand and Indonesia [4]. More than 50 people were injured in the blast on 17 July 2009 up to January 14, 2016 there are four militants reportedly detonated explosives in or near a Starbucks cafe in central Jakarta. Militants destroyed a nearby police post with grenades, killing at least 3 men. Gunfire ensued when police arrived shortly afterwards[5].

Traditionally the militias that politically opposed to Indonesian government interest were held responsible for series of terrorism attack in Indonesia. Separatist movements operating in Indonesia, such as the Darul Islam (Indonesia), Fretilin (East Timorese independence militia during Indonesian occupation of East Timor), Gerakan Aceh Merdeka, and Organisasi Papua Merdeka are often held responsible on terrorist attacks, such as bombings and shootings, in Indonesia. Recent terrorism in Indonesia can in part be attributed to the al-Qaeda-affiliated Jemaah Islamiyah Islamist terror group or ISIS.

The end of the 2016 terrorist bombings targeting the city of Padang, Ibn Sina hospital in Padang. The bomb was successfully failed by police so as to avoid explosions and casualties [6]. Earlier in the year of 2009 the police had arrested the suspected terrorists namely Sony who hiding in the warehouse of Takana Juo, Ulak Karang Padang.

In 2017 the police again arrested dozens of residents of West Sumatra are suspected of involvement in a terrorist network in Batam[8]. Subsequent arrested by Police Headquarter of Dharmasraya to two teenagers suspected of involvement in a terrorist network that burning the Police office in Dharmasraya[9]. The previous year in the Padang city was surprised by knowing the identity of six suspected terrorists were arrested in Batam two of them came from the city of Padang. It means that the city of Padang which was once a friendly, safe and quiet with a religious community life is no longer shows the conducive situation, because many of the terror and the emergence of the hidden terrorist movement from the young people in the city of Padang.

Many emerging of radical movement that terrorized West Sumatra residents, especially in the capital of Padang city, it cannot be separated from the influences of hard-line Islamic are targeted to young people in the city of Padang as the actor for bombing suicide. It is the duty and responsibility of local government to seriously find the reconstruction strategy to prevent the radicalization and terrorist movements among young people in West Sumatra, especially in Padang.

Misunderstanding of *jihad*, is likely make the younger is easy to indoctrination by teaching of *jihad* itself to bring their struggle for establishing the religion of Allah in a way against the legitimate government, and if necessary perform chaos, terror and scare people with terrorist bombings that makes the atmosphere of the people become tense, and interrupted local and national stability. Misunderstanding of *jihad* has sparked young people trapped in radicalism and terrorism to fight those violates the law of God, hoping martyrdom and paradise.

The unique thing is regarded the suicide bombing as a jihad movement, but their bombs target not only people from different religions with them and innocent, nor Muslims. Suicide bombings and indiscriminate lethal that seemed cruel. This is the negative impact of indoctrination of religious teachings over hateful and discordance to instead uphold *Islam Rahmatan lil Alamin*, even create chaos, terror and radical movement that causes people's lives insecure. True meaning of *Jihad* in the view of Islam is the Muslim groups that attack the enemy, when Islam is attacked, or when Muslims in the pressure by enemy, Islam does require his people to defend the religion of Allah although life-threatening. In view of Islam, the defense of Islam religion and Law of Allah is a form of his faith and obedience to Allah, that every injustice in the world should be removed and immediately followed by building a clean government and authoritative. Based on the efforts to build a harmony and dignity community, the writer interested to examines the role of local government in Padang City to prevent the radical and terrorism movement in Kampung Pondok with multiethnic, multicultural and multi-faith through building the social cohesion and a strong nation identity in order the local society of Kampung Pondok can fight the hidden radicalism and terrorism movement in their circumstance.

Many studies on radicalization and terrorism studied by expert started from epistemology, axiology and etiology of radicalization in public life. In addition the study of radicalization and effort to fight the terrorism is an important issue of worldwide trying to explore in the academic line, causing factor of radicalism born out, growing a group of terrorists who bring their identity as a colonized group and then against the government hegemony, causing conflicts and various acts of violence. Some studies on risk factors of radicalization and terrorism in a country in terms of psychopathological disorders in people who are potentially damaging to peace and personality that society tend to be fragile with strong issues of *jihad* come from the outside[10]; disruption of the individual personality as a result of conflict and violence in society [11,12]; the birth of the mujahedeen who tend to choose suicide as the ultimate weapon against their enemies [13]; increasing psychosocial disorders [14]. Spreading the violent radicalism in the Arab countries [15-16]; spreading to the Europe and Asia countries against their movement [17]; including to the largest Muslim population of Indonesia.

II. METHOD

Setting of this study was all youth of Kampung Pondok in Padang City. This research approach is qualitative research with an exploratory

design [18]. Data were collected by using depth Interview with open-ended interviews form, observation and focus group discussion. The subject of this study was the entire of youth society at kampung pondok as much as 250 people were divided into 100 young females and 150 young males. Data analysis was performed by classifying the data, interpretation of data, data validity checking, verification and drawing the conclusions. To test the validity of the data used in the study extension of participation techniques, triangulation, and discussions with religious and official local leaders.

4 III. RESULT

Building social cohesion and identity against radicalization and terrorism activities in the Kampung Pondok aims to support the social cohesion movement and identity, especially in recovery settings in the West Sumatera region. Regional integration involves the integration of ethnic communities and the different cultures into supra-cultural entity. At the local level supra-cultural entity requires integration between the communities, Muslim, Christian, Hindu, Buddhist, and Confucian who come from different ethnic, such as Minang, Javanese, Batak, China and India who live together in Kampung Pondok. Of the society belief, Islam and Christianity as two majority belief in a multicultural society in Kampung Pondok, while Confucian and Hindu as minority that live together with the majority group. At the local level supra-cultural entity in Kampung Pondok require the integration of Confucian and Hindu with different ethnic and culture become part of Padang cultural society. The output of building local cohesion in Kampung Pondok is in line with the Indonesia Strategic Plan against radicalization and terrorism activities, especially to young generation from the influence of terrorism dogma and in order to make a sustainable peace development in west Sumatra community living based on Indonesian Identity.

This study intends to look into the factors that impact the state's (in)ability to connect with its citizenry (vertical axis), as well as factors that enable or inhibit different groups and sub-groups within society to connect with each other (horizontal axis) as part of a framework of trust, equal citizenship, and inclusion. This framework has been used to design a program in response to a situation in the region where states react to an unprecedented wave of transformative socio-political forces. As defined in the situation analysis, these responses get complicated and are often limited due to the persistence of the past practices of exclusionary processes and institutions, often implemented in the name of restoring security and stability in West Sumatera Region. For that reason in Kampung Pondok, the local government

continued to erode the bonds of trust and goodwill in multicultural community between Islam Society and non Islam.

From the observation result can be known that the indoctrination of *jihad* to the young generation develop was caused by lack of their understanding about the truly Islamic concepts of *Jihad* related to Islam Teaching, besides lack of social cohesion and identity among Kampung Pondok community. This condition should be handling as soon as possible in order to avoid the unequal citizenship. This finding of study has the following specific outputs focusing on supporting the work of governments and civil society actors in promoting tolerance and diversity, strengthening citizenship, and increasing public participation of women and youth in the region.

In kampung Pondok to realize the social cohesion in the multicultural community of Kampung Pondok through strengthening national identity among youth against radicalization and terrorism by supporting their positive activates, promote equal citizenship, and inclusion. This strategy can be conducted by 1) reconstructing the deradicalization strategy to counter terrorism trough a civic education service, 2) outreaching youth by understanding Islamic teaching well and respecting other religious norms in the regional community of multicultural, eroding the bonds of trust and goodwill among multicultural society in Kampung Pondok for planning and evaluation the situation of multicultural society communication.[19].

By reconstructing the deradicalization strategy to counter terrorism trough a civic education service, the multicultural society of Kampung Pondok and Local Government of Padang City support regional knowledge and advocacy platforms to promote social cohesion and identity. By this way, simultaneously local government with local multicultural society of Kampung Pondok by 1) establishing and maintaining regional mechanisms through experience sharing, capacity development and dialogue on social cohesion and identity, 2) Provideing capacity support to key regional institutions in their mandates and functions for promoting conflict prevention and social cohesion and identity, 3) Provideing capacity development support to representatives of rule of law institutions, human rights based organizations, and security institutions resulting from focus group discussion.

The realization of social cohesion and strengthening local community identity is possible to Multicultural Community of Kampung Pondok to be more tolerance, respectful for existing diversity in their circumstance and prefer to live together peacefully. Besides, in order to avoid the

youth from the radicalization movement, local government also can provide them by promoting social entrepreneurship event, economic citizenship like Collaborative Leadership Training for Youth and Learning the Art of Dialogue (LAD) as well as involving them into public participation in the marginalized groups particularly for youth and women activities.

In Qualitative research result entails two interrelated areas of work that define the programmatic entry points. These two areas of work are strategized to target social cohesion and identity along both the vertical (relationship between state and citizen) and horizontal dimension (relationship amongst citizens), for more detail can be explain as follows:

Strengthening Equal Citizenship through the Instruments of Law, Policy, and Institutions

This area of work concentrates on improving state-society relationships, building and expanding on the concept of equal citizenship. To provide this, the local government and local community of Kampung Pondok supporting the efforts to promote inclusion or discourage discrimination and exclusion-critical factors for pursuing equal citizenship. Related with this activities, multicultural society of Kampung Pondok and local Government supporting the constitutive political processes through national dialogues and constitution-making, elections to emphasize the equal citizenship among youth or individual, in order to generate them have greater trust in the state by strengthening their social cohesion and identity [20]

Improving state-society relationships to generate greater trust would also require enhancing state responsiveness and strengthening the capacities of institutions to listen, consult and engage citizens in delivering law and policy. This would involve increasing awareness on reducing or neutralizing institutional biases in the implementation of laws, and strengthening capacities and mechanisms for mediation and conflict resolution through critical institutions. Rule of law and security institutions are considered two such critical institutions and as such the project will place an emphasis on working with them.

Reinforcing the Social Fabric to Rebuild Trust and Legitimacy as Foundations for Enhanced Social cohesion and identity against radicalism and terrorism activity in Multicultural Community of Kampung Pondok

The study explain about how to Reinforce the Social Cohesion to reconstruction deradicalization strategy as Foundations to strengthen people identity by bringing people by bringing people from different groups to support the social cohesion and identity (whether political, religious, identity based or other). This would

include addressing the implications of inter-generational gap and help define the role of youth in the future of the region to promote social cohesion and identity. As proposed by the participants of education, media, and civil society, as well as the religious leaders, constitute important avenues to provide this objective. Accordingly, the finding of this study can be explained that the local government should promote the social cohesion and identity among local people of Kampung Pondok in the realization of good interaction and engagement between leadership of confessional groups and networks with the institutions of the state; working with educational institutions and media to raise awareness and foster inter-cultural dialogue; developing/supporting relevant alternative dispute resolution mechanisms, or working with regional or local mediators, national facilitators and peace activists to resolve conflicts and reduce tensions, and linking these to the broader dispute resolution or mediation mechanisms.

3) Delivery Methodology and Partnerships

In terms of delivery methodology, the study was delivered in two phases. Given the need for further analytical understanding of the concept of social cohesion and identity, and then invest especially in knowledge generation and sharing as well as advocating on the ways and means to promote social cohesion and identity. Convening power of local government of course become an important asset that pushed the youth activities do the promotion of social cohesion and identity. In turn, will seek targeted efforts to provide technical assistance to government and non-government partners and support selected pilot initiatives that emerge from the analysis and the meetings of the key actors. Given the fact that faith has been dragged into many of the conflicts, the project puts a strong emphasis in identifying and working in consultation with religious leaders/ institutions to agree on ways to promote messages of tolerance and social cohesion and identity, nothing stereotype in the society, respectful each other, living harmony in diversity and avoid the prejudice to others.[21].

IV. CONCLUSION

Social exchange between two or more ethnic groups, beliefs and cultures that coexist in a local community. Villagers living coexist with multiethnic, culture and beliefs, is clearly a threat if the local government is not aware of the development of social cohesion in the neighborhood. Local authorities should be aware that the different ethnic, cultural and religion in Kampung Pondok needs to be concerned by reconstruction the social cohesion and national identity in the local community so that it does not appear the conflict that led to the radical

movements could threaten the integrity of the local and even the unitary of Indonesia state. The reconstruction strategy of building social cohesion and national identity are mutually respect ethnic, cultural and trust between people and to build a dynamic interaction of life through the strengthening of national identity of Indonesia based on Pancasila. The strategy taken in strengthening the social life and national identity in the Kampung Pondok community are 1) reconstructing the deradicalization strategy to counter terrorism through a civic education service,

outreaching youth by understanding Islamic teaching well and respecting other religious norms in the regional community of multicultural, eroding the bonds of trust and goodwill among multicultural society in Kampung Pondok for planning and evaluation the situation of multicultural society communication in create local policy together and sharing each other in playing their each role in the community.

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Da'wa Ethic Through New Media To Keep Indonesia Diversity

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Abstract: Bhineka Tunggal Ika or Unity in Diversity as The Republic of Indonesia Motto has important meaning for Indonesian. This motto implicitly says that Indonesia as a nation has high diversity. Indonesia has thousands islands, tribes, cultures, and also religion and believes. More than 85% of Indonesian are Moslem. It puts Indonesia as the largest Moslem community outside Middle East. Information openness era through ICT development makes people produce information content easily i.e dawa content. Many people creates dawa content by themselves then publishes it through their finger. Some dawa contents put Indonesia diversity in trouble. We can find a lot of content material on new media puts Islam as majority and says there is no place for non Islam in Indonesia. The escalation of producing this kind of content material has been arised since Jakarta Local Election 2017. The content material is consumed easily by the public through new media in example Twitter, Facebook, what's app, and you tube. This paper is elaborating how importance of ethic in dawa through new media to keep Indonesia diversity. The content of dawa should avoiding sensitive term which is related with others religion and believes. Implementation da'wa ethics will stimulate inter religion atmosphere.

Keyword : *diversity, Islam, ethic, dawa, new media.*

INTRODUCTION

Indonesia is a high diversity country. Indonesia has various cultures, tribes, islands, and religions. According to data from Indonesia Statistical Center Bureau shows Islam is majority religion in Indonesia. [1] More than 87% of Indonesian are Islam. The second largest religion is Christian and Rome Catholic. At least average 10% of Indonesian is Cristian or Rome Catholic. Javanese and Sundanese are majority tribes as well.[2] The statistical data shows us the majority has high number and represent only entity. But the minority represent so many entities. It is divide into small number. For example in religious life, the Moslem population number is 87% of Indonesia population. Christianity 10%. Then we are have at least 3%. This number is divided again to the 3 or 4 other religion. So we may conclude that Indonesia has high diversity even they are minority.

The Republic of Indonesia Motto is shows the commitment to keep diversity. Bhineka Tunggal Ika is Sanskrit terminology means unity in diversity. The motto is chosen to represent of the

high amount of local culture, religion, believes, and tribe. Unity in diversity is final concept for The Republic of Indonesia. It is also written on Indonesia Constitution. The diversity should be kept by all part of Indonesia - for both of the country and the peoples.

Unfortunately the rise of Information and Communication Technology is increasing majoritarian based on religion atmosphere. The rise of information communication and technology does not only make people way of communication easier but also has negative impact socially. People can access every Hing easily. Unfortunately not all of Indonesia has capability to filter the information. They are consuming a lot of information including religion information content. Sometimes the content is not reliable. On the other hands the content take the negative sentiment to other believe, religion, tribe. This is why majoritarian sentiment is arising as social impact of information and technology development.

New media is a new term in media and communciation. New media is combining for both conventional Media and the digital ones. New media also an effect from internet discovery. A Netherland thinker Jan Van Dijk define new media has three requirement. The requirement must be match at the same time. New media must have integration, interactivity and digital code.[3] Means new media must integrate more than one channel of communication. As we all know, new media terminology is combining telecommunication, data communication and mass communication. Van Dijk call this Collaboration as integration. Integration is one of the requirement. Combination of three element creates interaction between entities. the entities are not limited to human but also the system as a user of the new media.

Continuity of interaction makes an interactivity. So new media provide each connected entity to interact each other. In communication field we call it as two way communication and many to many communication. The last Van dijk requirement is digital code. The digital code is engineering language. We can not see it but we can use it. The digital code is back end architecture. The function of digital code is to build new media facilities. Integration and digital code are infrastructure and engineering domain. Interactivity

is the only domain that can be discuss on social sciences.

According to Indonesia Internet Service Provider Association Survey on 2017, Internet user in Indonesia reach more than half number of popullation. 143, 3 milion people or 55% of Indonesian is internet active users.[4] The data also shows Internet user growth in Indonesia. It is growing year on year. Twenty years ago, the number of Internet user in Indonesia only 500 thousands user. But today it growing up rapidly.[5] The relevancy point of view from APJII data with this paper are found on page 34. The page shows internet utilization in social and political sector. This page published about religion content that is consumed by indonesia internet user on 2017. The second largest findings from that survey shows 41,6% Indonesian reading information related with religion. This number is more than 100% increased comparing with the same survey result on 2016 .

APJII Survey result on 2016 shows only 17% of Indonesian use internet to visit religion and social culture website. Means religion website is not the only kind of information that Indonesian read on 2016. The fixed number could be less than it. But the comparison of the both data shows a new phenomenon. We are may argue that the majoritarian religious sentiment extremely increase.

Besides APJII Survey result we also find another research by Indonesia Telematics Society or Masyarakat Telekomatika Indonesia - Mastel. Mastel shows the suprising result about hoax. 88.6% of hoax information that accepted by the public through the new media channel related tribe, religion, racial and ethnicity sentiment. (Mastel, 2017). Combining APJII and Mastel data, we may conclude that public ability to produce content related with religion increased but they may not have a control and information Verification ability. So they just produce hoax information. This situation endanger Indonesia diversity.

A Germany Sociologist Niklas Luhman call the rise of content information about religion because of new Media penetration with constructing reality. [7] Public try to construct the new reality through New Media. Because the existence of new media makes a freedom on content making and also deliberation process. From communicant perspectives they also has an easiness on information access. They will try to find which information is supporting their believes and religion. Every post on new Media about religion information content makes two sides and multiple communication. Every content that is posted by an entity and consumed by a lot of internet user means multiple communication. And the discourse, the pro and cons as the effect of deliberation the information content are two sides

of communication. Pro and cons are creating digital sphere to discuss about specific issue alike religio. Van Dijk call this situation by interactivity. And Luhmann said that the discourse shows that society is communication. The communication process creating an interactivity. The rise of majoritarian sentiment comes from this pro cons about religion content on new media information content. The content is not only text but also pictures and videos. Both of theoretical point of view from Luhmann and Van Dijk are explaining how religion information content can rise up majoritarian sentiment. The majoritarian sentiment will be growing up during information content that is produced over and over again. Even though it will change people point of view because of replication content that is spreading sporadically. If the content are good and full of tolerance information, it will not be a matter. But if the content related with hate speech, hate spin and hoax, it will Endanger Indonesia diversity as the effect of this deliberation.

Indonesia unity in diversity are final conceptual and basic ideology of Indonesia. Means there is no space for intolerance in Indonesia. Unfortunately increasing majoritarian based on religion trends meet the easiness to produce information content related with religion through new media endanger diversity. The content maker should be think twice before post the information content. The rise of religion content usually is related with dawa process. The religion information content usually is about dawa. Da'wa is a conceptual idea to deliberate a message about religion in Islam. Da'wa comes from Arabic words *da'a*, *yad'u*, *da'watan*. Etymological da'wa means calling, speak up, and doing something to attract public interest into specific religion with both of action and orally. Muhammad al-Khaydar said da'wa as a part to ask someone to do something good and prohibited to do something bad. In this paper we are generalized the definition the information content related with Islam or religion as da'wa. Means both of information content that is consumed by the public as common trends today and hoax content inside also kind of da'wa.

Da'wa play the vital role in Indonesia nowadays. Da'wa able to change tolerance into intolerance through it is content and vice versa. Da'wa Ethic is believed as way out for this trouble. Ethic has a freedom, morality, responsibility and also give our heart inside. Da'wa ethic means freedom in deliberation information content about Islam with morality, responsibility and give our heart inside. Morality means respect each other. Responsibility means the da'wa content maker must be able to answer the public question about the da'wa content they made. Giving our heart inside means the da'wa content must reflect the current

situation where it deliberate and also the communication target audience.

This paper wants to elaborate the importance of da'wa ethics through new media to keep Indonesia diversity. Based on the information above, we are in information era. Several survey shows us the rise of majoritarian sentiment. It is happening after internet user consumed dawa information content through new media. The arising of people willingness to find religion information and the rise of majoritarian religion sentiment should be caught as a phenomenon what kind of information is consumed by the people on new Media platform. We are assuming the information content is not significantly good. Here we also want to know that dawa ethic can be a solution. This paper can be used by the stakeholder as academic point of view for inter religion peace keeping at high diversity country alike Indonesia. We also suggest the solution for the current intolerance trend through new media. Framming analysis robert entman will help to answer the research question.

II. METHOD

This research use qualitative research paradigm. This research use Robert Entman framing analysis as research methodology. YouTube da'wa content is the research object. The object is founded by selected several da'wa content at YouTube. The content video must have more than 50 thousands viewers or has replication post by others account. Means the videos content are engaged with a lot of people. The large amount of viewers makes the videos content is influencing a lot of people. We have three kind of video in this research such as:

Video under title ' Video Viral Rhendra Kurniawan Anak Anggota DPRD Sidoarjo Sebut Nabi'. This video was uploaded by account name Hegeuy Video. This video has more than 50 thousand viewers. The information content has domino effect after released. This video is chosen because of the content does not show the real Islam situation. A guy on this video was constructing reality that Islam and prophet Muhammad fake. He also said that he will become a prophet.

Video under title ' Gara Gara Video ini Rizieq Shihab Kembali Dilaporkan Masyarakat Bali - Menit 13:40' was uploaded by account name movielicious. this video is one kind of hate speech. But we are not focus on the hate speech. This video was constructing several reality about Moslem and ISIS, Moslem and Baliness. May this video only has less than 10 thousand viewers. But this video has very big impact to the society. The original video was edited, replicated and re uploaded by several account. Baliness also gave their reaction to this video. So the domino effect of this video is big. It can reach a lot of viewers

The last video uploaded by Manaf Hasibuan account under title, ' Kebaikan Apapun yang Anda Lakukan, Semua Itu Untuk Dan Akan Kembali Pada Dirimu Sendiri'. This video as antithesis of two previous one. This video also represent ethic on da'wa.

Robert Entman framing model as research methodology has four step to explain the research question. All videos was analyzed by four step of Robert Entman Framming Analysis Model. Here four Entman analysis process that is implemented in this research.

Define problem

This research wants to explain the phenomenon about the importance of dawa ethic through New Media to keep Indonesia diversity. Indonesia diversity is fundamental constitutional and the spirit of the Republic of Indonesia. That is why the diversity must keep by all part of this nation; what ever his belief, culture, tribe, religion, and so on.

New Media is a new kind of media that reach the widest area without notify the time and space. Everything that uploaded will be leaved as digital footprint. The digital footprint can be tracked with several ways. Once the false message about diversity or intolerance uploaded, it will be found easily online. Based on APJII and Mastel research data, there has been new trend in Indonesia for last 3 years. The number of religious content searching rise up and so does the number of dawa content creator. Dawa ethic thought as a way out to keep Indonesia unity in diversity.

The first two video endanger the Indonesia diversity. Both of video is trying to attack indonesia religion and socio culture life. The third video shows is about the ideal dawa with ethic. This video neutralized the previous videos. It also use as the model of content information on new Media related with dawa ethics. Based on the definition above we may conclude people can reach the dawa information content on new Media easily. Easiness to get the information also finding blunder video related with dawa potentially arise. At last, it will endanger the high diversity country alike Indonesia.

2. Diagnose Causes

Based on the research object, we could define potential problem are caused by dawa content on new Media such as

Intolerance on the same religion

Inter religion intolerance

Religion Vs Socio Culture conflict

The three problem will be explained more on the result of this research. The potential caused because of the information content is thought endanger the Indonesia diversity.

3. Make a Moral Judgement

In this part we will define several things based on the research object. Intolerance on the same religion potentially happened because of the rising of majoritarian religion sentiment. It is arising egocentrism in each religion. They thought that majority religion is the best religion. So there is no space for others religion. This opinion also arises inter religion intolerance. The people from others religion, especially the minority, feel disturbed by the majoritarian thought. They try to suggest the majoritarian that their belief are also good and the best. While the religion sentiment meets a culture, it will get worse. As we all know culture comes from people's habit in one area. People in one area is not definitely comes from the same religion or belief. The majoritarian thought rises up vs minority defends instigating are potentially rising broken social relationship environment. Sometimes it makes inter religion vs socio culture life conflict.

In digital life style, both of majoritarian and minority sentiment arise because of the easiness to reach several information content. Dawa information content are one of the digital information was consumed by the public. Because of Islam is the majority here, creating peacefully dawa content on new Media platform are important. The number of information content with dawa ethic paradigm inside must be increased.

4. Suggest Remedies

At this point we will try to find the best way to solve the problem. This point will be put on the 3rd part of this paper and so does in conclusion.

III. RESULT And DISCUSSION

This part will explain the result of analyzing process. We have three videos as research object. The videos was analyzed by Robert Entman Framing Analysis methodology. We also want to explain with Niklas Luhman system theory and Jan Van Dijk network society theory. After explaining the findings, we try to discuss the phenomenon.

A. Findings

This part will describe the findings in all videos as research object. The videos are chosen after match with several criteria made before. We are choose the video with two general criteria. First, the video with dawa ethic content. Second, the video without dawa ethic content. Van Dijk defines new media has special characteristic such as interactivity. Van Dijk add new media is possible creating two way communication and multiple communication. Here we are defining by the number of replication, reupload of the video. So that we choose the video with a lot of number of viewers, replicable by others account, and also the social effect of the videos. Here the findings of this research.

1. Intolerance Content Over The Videos

In this research we found that two of three videos has intolerance content. In first video we find the phenomenon that intolerance also happened at the same religion relationship. This video shows a guy identified as one of local members of parliament son, create a video about the Islam and Moslem. He said that Muhammad prophet lie. He was explaining about Prophet Muhammad lying in almost all the time of video. He also blasphemy the prophet as a guy with a lot of wife in minutes 1:05 and 2:43. He also said that Muhammad Prophet was made a mistakes and teach the wrong believe. He also said that Islam will be destroyed on minutes 4:27 & 4:45.

The second video show about Habib Rizieq dawa on one of FPI Agenda. The dawa content provoking each other. There are three important point on Rizieq statement on his dawa. First, Rizieq said that FPI - as he represent - is not support Daesh or ISIS. But he gives stressed in almost first 14 minutes of all duration on this video that Rizieq as personal, as a Moslem and also as FPI leader will accept if one day Daesh or ISIS exist in Indonesia. Second, Rizieq was provoked his public supporter to attack Bali. He also show the power of Islam as majoritarian religion can destroyed Bali from all direction. We can find this point statement between minutes 13.40 - 16.50. At the last of this video, Rizieq reporting the use of funds from their public.

This video dawa content has less than 50 thousands viewers. But the short version of this video was reupload by several YouTube account. All replicated video reach bigger viewer than the complete version. This video makes big social impact. Balinese react with hard protest both of online and offline. Some Balinese organization has had been reporting Rizieq to the police.

The third video as the research object we call as the video with dawa ethic content. This video show the story about a girl who want to buy a cake for her grand father birthday. Unfortunately her grandmother does not have any money. Then a guy coming. He see the situation. He buy a cake for the girl. He is remember his life in the past. He was in the same situation. So he want to do the same for another person as his thanks to a man who bought him a cake. At the end of this video strengthen by dalil or holy quran sentence. This is kind of dawa with ethic. The dawa should give motivation to the viewers to do the something good action, to help each other. There is no hate speech inside. There is no intolerance message inside. This video was watch by more than hundred thousands viewers.

2. Netizen Interactivity

Interactivity is the character of new media. People can give their perspectives and opinion through New Media. you tube video possibly makes public creating two way communication between video maker and the audiences. It also makes multiple communication because the video spread out to all over the world without time and space boundaries. shared, re upload, reproduced, edited are the communication effect. Possition videos replication and comment could be define as public like the content. But if they did inverse of that means there are something wrong with the video.

The first video seen by more than 50 thousand viewers. This video is not reuse by others. But there are a lot of videos shows the current condition of a guy who produce it. The second video reuse, reupload with others account. We can find a lot of new video related with this one. A message about attacking bali, makes people interesting. There are also various comment inside. Th uppe third video tell us about dawa with ethics. It is not makes the people want to over react. It is more peaceful than previous videos

From the interaction of the video we may see what people need. Intolerance will get negative reaction from others. It are showed by replication of the information content and the public reaction.

Discussion

Findings from this research will be discussed here. Based the findings above we find that this phenomenon is the communication failure. So that each system can not communicate both for internally and externally. Here we also describe dawa ethic information content is a way out to solve the phenomenon.

Failed of Nation, Religion and Culture System on Communication Process

Niklas Luhman is a great thinker from Germany. Based on 40 years long research experience, Luhman find system theory. Luhman told us about autopoietic in each system. Means every system world-wide communicate for both internally and externally. Internal communication is done by each actor inside a system. And external communication means interactivity between internal entity and the outside one. Autopoietic is define as dealing result between internal and external entity communication process. That is why luhman said that society is communication, no society means no communication.[8] In this case, Luhman system theory match with Van Dijk

thought about network society. We was explaining on the previous part that one of network society theory poin is interactivity.

Nation, religion and culture is a system with their own role. On religion system people who trust and believe one of religion is the actor. In example Moslem as the actor for Islam religion system. Each entity inside Islam religion system communicate with each others by several coding. The coding in this system is what was thought by the religion based on the holy book Al Quran and Hadist. Aculturation between Islam belief and several cultural value are result of communication process between internal and external entity or autopoietic. The same situation apply on culture system.

the first video we can say that a guy is not understand about Islam. He create a video with less knowledge of Islam. He is not really know about the Islam and so does Prophet Muhammad. Based on dawa point of view, Smart and well-known about the material of dawa content is a requirement for communicator or dai. The additional point is the dai must understand who is their communicant or public target. The situation is picturized on this video show the back side of it. That is why this video gets a lot of protest. On the other hand we also could said that it is religion system communication failure. The system failed to create better understanding inside the system. From the second video we may learn religion system rise up the majoritarian sentiment. easiness for posting a content and low media literacy makes someone feel free to post. But there must be social consequences because of the system. The sentence to attack Bali implicetly shows the power majority is quite big to invate each other.

religion system was successfully to build the religion majoritarian sentiment. In dawa point of view may it is seen as success story. Because the religion message is accepted by their own entity. But it is not 100% effective. The rise of religion majoritarian sentiment is not followed by good literacy on it. The first video gives us the proof. Both of religion and culture system should make well communication. In some cases religion system and culture system to be a unity. In example javaness people identically with Moslem in some area alike Gresik, Jombang, Jogja, Baliness identically as Hinduism, Papua identically with Christianity. Means harmony both of religion and culture happened. Pela gandong culture at Maluku before Ambon Multicultural conflict shows how inter religion and culture system can communicate well. But what is happened today is the failure of communication in both of system. The religion system said that they are autonomous and unrelated with culture and vice versa.

second video on this research show us more clear situation about this failure. First, the rising religion majoritarian sentiment that is picturized by the statement for attacking Bali by the majority. This situation shows that there is no place for minority anymore. The video was replicated by several accounts with a lot of viewers. Related ethnicity, Balinese, reacted with the video. Fortunately the video that is made by Balinese not attack the majority back. Balinese reacted videos get more viewer than the original videos. Means there is domino effect because of dawa material content here. Secondly, at the early video duration Rizieq ask that he and his organization is not supporting Daesh exist in Indonesia. But he and his organization will accept Daesh if they want to be exist in Indonesia. Rizieq statement is serious national problem. He and his organization ready to accept Daesh. Means he and his organization was refusing The Republic of Indonesia as a nation. We can put Rizieq statement as rebellion.

Nation system as state macro system has a power as a coding to communicate with their sub system. The power is begun with trust and same goals to face in their sub system. The second video show us clearly the nation system was failure. Accepting separatism organization by using religion name is kind of rebellion. From both of video we may conclude that the communication process from all system was broken.

Both of religion and culture are part of the nation system. Communication between this two system is a support national identity. Nation system communicate with coding in nation as macro system. The coding related with the same goals between three system. In this case the coding is the same feel to be freedom as one identity named Indonesia from Dutch imperialism. It was written on Indonesia constitution. At the first stage of Indonesia independence both of system can communicate well because of big nation power to feel same to be freedom. But today the nation system as macro system can not keep the tolerance. Means nation system was failed to communicate with its own entity or sub system. The situation getting worse while we connect the failure with the rise of information technology and communication development. People can produce the information content based on their own point of view. Digital footprint will be leaved forever as long as the video not be deleted from the server. Means people can access a lot of videos mostly intolerance. While people need to look for material related with religion rise up, they will find intolerance material at first because of the availability quantity between tolerance and intolerance content.

on both of Mastel and apjii result survey, the rise number of people who look for information about Islam means increase ability in accessing the

digital footprint about intolerance material. Based on researcher experience during finding object video process, we also get the same difficulties to find match video. There are a lot of video about Islam and dawa. But mostly the content of the video related with intolerance. The video that uploaded 2 - 5 years ago also still exist. Let we imagine if the same situation is faced by a people who wants to learn more about Islam. Or someone just start learning Islam at adolescent age. They will find intolerance content and learn it. Their belief system on their mind agree with the content. Because first they are sure that religion must be true. There will be no polarization information on religion and belief. Secondly, they do not have self reference about religion. They are on early stage to learn means they are creating self reference on their mind. They also do not have others reference. Build others system will be hard because of the first situation that religion information online must be true. But they also know the easiness to find information content. Audio visual information is more interesting than textual content (UCLA survey). So that they are consuming the kind of video regularly. It is only from YouTube. But we must remember that Indonesian has a lot of access to many information channel. At the end religion majoritarian sentiment rise up.

Indonesia as nation system was done, facing serious problem on inter religion relationship nowadays. for the digital problem through information and communication ministry. But it is only regulate general points about ICT development. Now public needs specific regulation about tolerance. Failure to serve so, means failure of nation system communication. It also put communication as strategic sector must be kept by Indonesia government.

Strengthening Unity and Diversity Through Dawa Ethic

Dawa at implementation stage is one of human being creativity result. The purpose of dawa is to keep public justify, increase public welfare, toward equality, and reaching happiness based on Allah Ridho. On sociological stage, dawa activities is building saleh - antara Islamic terminology to do something based on what is teach by Islam - for both individually or socially. Based on phenomenons and so does the findings of this research, raising digital information accessibility has a significant impact at tolerance atmosphere. Everybody can create and deliberate the content by themselves with high impact. From the fact above we are understand that most of dawa content told us about hatespeech and hatespin. It endangers Indonesia diversity.

The implementation of dawa ethic is believed as a way out. Every dai or content maker about

dawa content must have tolerance sensitivity. They have to understand that Indonesia diversity is final concept of this nation. That is why every single person who created the content must be aware about this situation. Not only the content creator but also the viewer must have the same opinion about this situation. Islam as majority must keep the diversity. Unfortunately it will not be run well if there is no good communication at each system. Indonesia goverment play the vital role here as Supra system. Law enforcement must be done from now. What was happened with moluca, Jakarta local elections process and also FPI provides enough example that religion issue and the rise of majoritarian endangers this nation. We need not only the dawa content with ethic but also same perspectives about Indonesia and diversity.

IV. CONCLUSION

Indonesia diversity is final concept of this nation. Tolerance be an Indonesia backbone. The rise of information communication and technology has a side effect for our diversity. Information related with religion is accessed easily nowadays. Unfortunately the information content is not totally good. This research show us that the information content or dawa content is created, moderated, published with multi perspectives endangers the diversity. It is arise majoritarian sentiment in some places because of the dawa content that provides hate spin and believed by the public and metizen. Dawa ethic is a solution provides good information. Dawa ethic provide good information about islam and religion and also keep the tolerance activism. Dai's must understand about our diversity and must have strong commitment to save Indonesia diversity. Indonesia goverment as country representation must be appear and play his vital role here. Indonesia government as Supra system must keep in touch with every element to keep Indonesia diversity. The goverment intervention is needed to guarantee high quality of dawa content with high ethic and to keep Indonesia diversity.

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SUFISM COUNSELING METHOD OF AN EX-HOODLUM AND PROSTITUTE TOWARD ISLAMIC BEHAVIOUR SHIFT (QURAN MEMORIZERS): A Case Study Of Sholawat Mafia (As An Alternative Study Of Nusantara Islam Counseling)

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Abstract—Most of counseling theories use approaches of the West even though the majority of Indonesian clients are Muslims. This is the reason why the excavation in Islamic teachings to deal with Muslim clients is a necessity. The Islamic teachings can be sourced from the Quran, Hadith and other Islamic teachings; including the use of theory or counseling approach through the teachings of Islam. The approach of Sufism method, for example, can be used into the counseling process since its product is behavior shift from negative to positive one, and the essence of counseling aims at changing client negative behaviors into positive ones. This is the content of *sholawat* lyrics implanted by KH Ali Shodiqin to his students who are called as *sholawat mafia* lovers.

Clients who need help to turn into a healthy one are Muslims who cannot carry out their duties as good believers who at least can avoid immorality and command the good deeds. Thus, the approach utilized to change the clients' behavior needs to be Islamic approach that is Sufism method. It is mafia *sholawat* which becomes a movement trend for *sholawat* lovers. The process of changing a hoodlum and a prostitute into a good Muslim, who practices the worship and no longer be hoodlums and prostitutes, is the success of Sufism approach in the realm of counseling undertaken by central figure of mafia, Gus Ali Shodiqin.

Keywords— *Sufistic Kounseling, Sholawat, Changing Behaviour.*

INRODUCTION

David Cappurizzi & Douglass R Gross [1] emphasizes the importance of personal and professional competence to learn the theory and psychotherapy and to gain experience to implement the theory in counseling and psychotherapy practice. This is a condition when a counselor or psychotherapist can utilize the theory as a basic

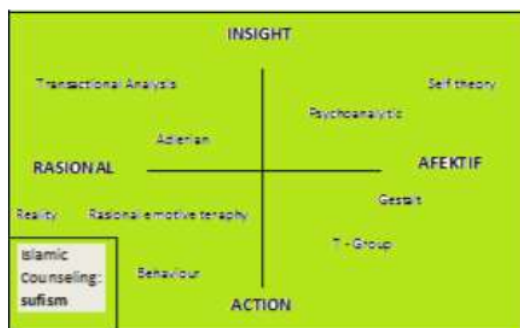
framework to understand the meaning of the client's behavior. Even further —knowledge of theory and research and expertise in translating that knowledge into strategies and interventions can be delivered only through being personhood of the provider. Each member of helping professions in given enormous amount of responsibility every time client interactions occur. David Cappurizzi & Douglass R Gross [1] argued that the counselor or therapist should be able to elaborate the theory and experience into strategies and interventions during becoming a counselor/therapist, and their responsibility because they always interact with their clients.

The purpose of counseling according to Surya (1988) relies on the counselee or counselor. The general purpose of counseling is to produce a shift in behavior which allows the counselee to live more productively. Rogers contended that one outcome of counseling is that client's experience is no longer scary, individual anxiety is reduced, and their ambition is almost more in harmony with the perception about themselves. Therapy brings relatively permanent changes in the personality and behavior organizations and structures. The main result is more on self-structure, which means that the greater proportion is experience and more fun and realistic adjustments about life. In this definition is of the changing behavior of a hoodlum's life to be a Quran memorizer and so does the former prostitute. They have changed into good Muslims performing five times prayers and not engaging in the disobedience anymore, and this is the success of the counseling process using Sufism method.

Counseling derives from Latin word —consilium which means —with or —together

with that is usually combined with —to accept or —understand. Meanwhile in Anglo-Saxon the word counseling derives from —sellan which means —to convey or —to deliver interaction which (a) occurs between two individuals, each is called a counselor and a client; (b) takes place in a professional atmosphere (c) is done and maintained as a tool to facilitate the changes in client's behavior. (Pepinsky 7 Pepinsky, in Shertzer & Stone, 1974) ... a process in which the counselor helps the counselee make interpretations on facts associated with choices, plan, or adjustments needed (Smith in Shertzer & Stone, 1974).

Counseling is a process to help individuals overcome barriers of their self-development, and to achieve optimal development of its personal abilities, and to optimize their personal development. This process can occur at any time (Division of Psychological Counseling) ... a direct meeting with individuals aimed at providing assistance to be able to adjust more effectively to themselves and the environment (Mc. Daniel, 1956). Counseling includes understanding and individual relationships to express needs, motivations and unique potentials of the individuals and help them concerned to appreciate the three (Berdnard & Fullmer, 1969). 1. Counseling is a process of interaction between two individuals, the counselor and client. 2. Conducted in a professional atmosphere aiming at and serves as a tool (container) to facilitate changes in the client's behavior. Counseling is a process of assistance given by interpreting facts or data about the counsees themselves or their environment, especially regarding the choices, and plans made. —The process of aid is delivered through counseling interviews by a specialist or counselor to counsees who are facing problems or clients that lead to the problem solving experienced by the client. Counseling can combine with other cognitive behavioral theory such as Shubina, I. [2], Ochene K.Z. et al [3], and the counselee / client from the kindly behaviour according to Albada A et. Al [4], Hıçdurmaz D., & Oz. F.[5], Santos, M.G. et al [6].



Picture 1: Counseling Objectives Classification
From Nur Hidayah

The counseling map picture illustrates that the behavior changed by each approach may be different from other approaches. The counseling approaches found by the researchers is in the rational and action position. It means that a mindset shifter is necessary to change the behavior and renew behavior examples are even needed.

The Rational position of counseling approach here is related to Worthington's opinion that today in the Western world the interest on studying religious has been raised by the experts in the field of counseling. He argues that serious differences in value should never retreat and ought to be faced through open discussion, and if necessary they should refer to another counselor. Meanwhile, Beutler, Pollack, and Joe contend that in counseling if clients bring a certain value, it does not mean that a counselor must change the values he has possessed in order to be able to cooperate effectively with clients.

Tasawuf or Sufisme (in Arabic: *فصمت*) means a knowledge to figure out how to purify the soul and attitude; building the inner and outer to gain eternal happiness. *Tasawuf* was *zuhud* (leaving the world) movement in Islam and further changed into mystic tradition in Islam. The Sufism thought appeared in the Middle East in the eighth century and now this tradition has spread throughout the world. There are many sources on the etymology of the word Sufi. In general, Sufi derives from *Suf* (*فص*), in Arabic which means wool, which refers to the simple robes worn by ascetic Muslims. However, not all Sufis wore robes or clothes made from wool. Another theory claims that the root of the word *Sufi* is *Safa* (*افص*), which means purity. This emphasizes on Sufism of heart and soul purity.

Another theory states that Sufism derives from Greek *theosofie* which means divinity. Another suggests Sufi from *"Ashab al-Suffa"* (—friend in the porch) or *"Ahl al-Suffa"* (—people in the porch), that Muslims in the era of the Prophet Muhammad spent most of their time in the porch of the Prophet Mosque to pray. Some people argued that the concept of Sufism had developed before the Prophet Muhammad had been appointed as the Messenger of Allah (Rasulullah). Muslims were in the regions of Iraq and Iran (around 8th century) which were adhering other religions or other faiths. Even though they had believed in Islam, they still kept their wisdom and avoided the wealth and enjoyment of the world. This was encouraged by their seriousness to apply Islamic teachings, to humble and despise themselves before God. They used to wear very simple clothes made of wool which was then known as a symbol of its

adherents. Thus, the belief was called Sufism, whereas the followers were called Sufis.

Some people also contended that Sufism originated from the era of the Prophet Muhammad pbuh (peace be upon him). It derived from —porchl (*suffa*), and the actors were called ahl al-suffa, as mention above, who were considered as the seed planters of Sufism known by the Prophet Muhammad. Another opinion stated that Sufism appeared when Muslims had conflicts in the eras of Utsman bin Affan and Ali bin Abi Thalib, especially due to the political factor. This conflict continued after the two caliphs which then provoking people's reaction. They considered politic and power as dirty and rotten area. They did *uzlah* or withdrew themselves from worldly issues which used to deceive and mislead them. Further, a Sufism movement founded by Hasan Al-Bashiri emerged in the second century of Hijriyah; and then followed by other figures such as Shafyan al-Tsauridan Rabi'ah al-Adawiyah. Some other definitions of Sufism are also mystic in Islam as Taoism in Tiongkok and Yoga teaching in India (Mr. G.B.J Hiltermann & Prof. Dr. P. Van De Woestijne); and mystic spirituality (mystiek geestroming) in Islam (Dr. C.B. Van Haeringen).

The idea saying that Sufism derives from Islam believes that its teachings are based on Sunna of the Prophet Muhammad. The obligation to be sincere before Allah was one regulation among early Muslims which they called as unnamed condition, which then became a discipline once the majority of people got deviating and changing this condition. (Nuh Ha Mim Keller, 1995) a writer form Maliki school of thought, Abd al-Wahhab al-Sha'rani defined Sufism as —the path for Sufi was built from the Quran and Sunna, and built on the way of life based on the prophet morality and purified. It could not be blame unless it explicitly violated the statements of Quran, Sunna, or ijma. I Sha'rani, *al-Tabaqat al-Kubra* (Kairo, 1374),

The other idea claiming Sufism from outside Islam came from Arabic language *suf* which means ascetic (people who shunned luxury and fun) people's clothes made of wool. Christian world, neo Platonism, and the influence of Persia and India took part in shaping Sufism into ascetic-mystic direction in Islamic teaching (Mr. G.B.J Hiltermann & Prof. Dr. P. Van De Woestijne). Sufism or mystic teaching (mystieke leer) held by certain believers in the East, especially Persia and India, taught that everything existed in the world was imagination (als idealish verschijnt), humans as reflections (uitvloeisel) of God used to try to reunite to HIM (J. Kramers Jz). Al Quran in early Islam was taught just to guide inner life of Muslims which number was limited.

With the increasing number of Muslims and its area, Islam then accommodated non-

Muslims who had adhered religions with strong mysticism and had attempted to find self-connection to God in various shapes and characters. Mysticism felt by Muslims of 2nd Hijriyah (of which believing other religion than Islam, such as Indian who was Hindu or Persian who used to adhere Zoroaster or Syrian who believed in Masehi) was unknown to be part of Muslim life since they had a faith in the inner life to get closer to God. These belief and movement (due to the mysticism) have flourished and welcomed by Muslims, even though they were challenged by the experts and teachers of their religion.

Therefore, this mysticism belief which derived from Masehi, Platonism, Persian, and Indian mysticisms slowly impacted on Islam mysticism (Prof. Dr. H. Abu Bakar Aceh). Sufism is built on two elements, (1) the inner feeling among Muslims since the early development of Islam, and (2) the custom or habit new Muslims which came from non-Islam religions and other mysticism beliefs. Hence, Sufism was part of Islamic teaching though it comprised of some elements of Islamic teaching. In the other word, there was not Sufism belief in Islam even though many Muslims believed in its [7] Sufism and Sufi came from the city of Bashrah of Iraq. Since they preferred wearing clothes made of wool (*Shuuf*), they were called —Sufil. Sufism was not the Prophet's pbuh teaching nor Ali bin Abi Thalib's heritage.

Asy Syaikh Ihsan Ilahi Zahirrahimahullah said: —when we trace Sufism teaching from the first to the last periods and their saying, spoken or written in early and contemporary books, we would figure out that it is distinctive from the teaching of Al Quran and As Sunnah. In addition, we had never found the origin of Sufi in the history of Muhammad's pbuh leadership and from the history of his noble friends as well as from God's chosen creatures in this world. On the contrary, we even consider Sufism teaching was taken and inherited from the Christian monkhood, Hindu Brahma, Jew's worship, and ascetic Buddhal —*At Tashawwuf Al Mansya' Wal Mashadir*, p. 28. (Ruwaifi' bin Sulaimi, Lc).

Some figures that influence the Sufism in Indonesia are Syeikh Abdullah Mubarak bin Nur Muhammad r.a (Abah Sepuh), the founder of Pesantren Suryalaya, Hamzah Al-Fasuri, Nurddin Ar-Raniri, Syekh Abdurrauf As-Sinkili, Syekh Yusuf Al-Makasari and Shohibul Faroji Azmatkhan Ba'alawi Al-Husaini. Meanwhile, Sufism figures in Cirebon are Syekh Syarif Hidayatullah or well-known as Sunan Gunung Jati, Syekh Nurjati, the teacher of Sunan Gunung Jati, Syekh Abdullah Iman or know as Pangeran Cakrabuana, Syekh Mulyani or Syekh Royani who

gave birth of Muslim scholars in Srengseng, a famous village of Krangkeng sub-district, Indramayu regency, Mbah Kriyan, Syekh Tholhah who was the teacher of Syekh Abdullah Mubarak bin Nur Muhammad r.a., Syekh Jauharul Arifin the founder of Pesantren Al-Jauhariyah Balerante, Palimanan, Cirebon regency, and other figures from Cirebon.

Meanwhile, Sufism in counseling is an approach taken to change the clients' behavior by prioritizing the function of Sufism in a person so that he or she releases disobedience and change it by reading sholawat according to stages of Sufism and is able to get used to doing positive behavior, especially the one has been carried out by Gus Ali Shodiqin.

The research problems are: How is the activity of sholawat mafia as Sufism counseling method to make a hoodlum and prostitute become Qu'ran memorizers? How does Sufism method become one counseling approach which can be applied to other clients?

METHOD

This study is included as a social research since it is used as an investigation designed to increase social science, social phenomenon, or social practices. The term social refers to the relationships among people, groups such as families, institutions (schools, communities, organizations, and so on), and the larger environment. Jamaah mafia sholawat is a community so that this research can be categorized in a social research. This means that mafia sholawat practice through Sufism approach is able to be input for counseling world. Furthermore, this study is also included in naturalistic research for its instrument is human, with qualitative method and inductive data analysis to be easily described [8]. The causality and impact appearing in the counseling process indicate the naturalistic approach of this study, of which the result of the research will be ideographically interpreted and tentatively applied.

Meanwhile, the counseling method utilized is Sufism method. According to Hamdani

Sufism method is a self-amalgamation from the properties, characters and actions that deviate from the will and guidance of divinity. Through takhalli, the method to erase the trace of iniquity and denial of sin against God the Almighty is done with true repentance (*Nasuha*). This spiritual cleansing method is contemplating the evils of this world and realizes that it is a fake and quickly vanished and clears the heart of it. This can only be achieved by the struggle to conquer the passions, and the seriousness of the struggle the most important is to implement the regulations of inner discipline continuously. The phases of soul, minds, hearts and

morals (morality) purification with noble and commendable characteristics are as follows.

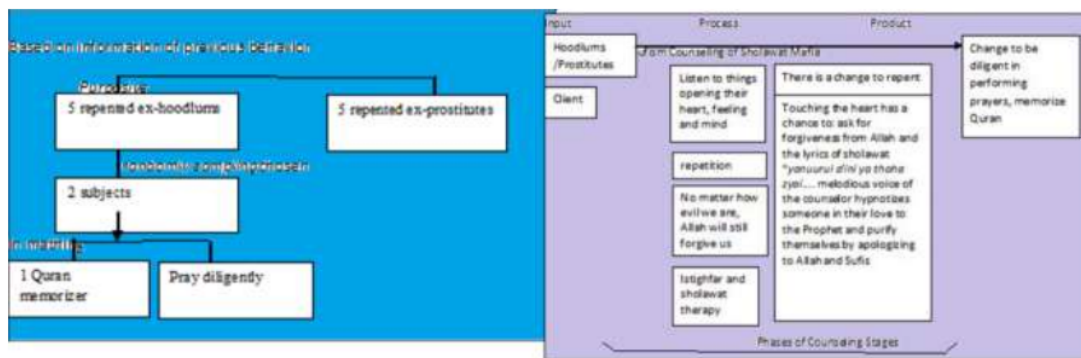
Table 1

Stages on the Sufism counseling process toward the clients which are Hoodlum and prostitute in Semarang and Korea.

Stages	Counseling	Proses of Sholawat mafia	Proses of Sufism
1	Understanding negative behavior (self insight)	Introducing the meaning of sholawat	Purifying the unclean by doing good, careful and correction/purging water or soil
2	Convincing with religious teachings on the importance of removing negative attitude (attitude change)	Unifying the heart and mind with sholawat	Cleaning the dirt by taking a bath or pouring water to the whole body in a good, careful and correct way
3	Training on the new habit (motivation)	Reciting sholawat and understanding the lyrics of sholawat	Purifying the clean one by taking ablution using water in a good, careful and correct way
4	Finding a lesson in a positive behavior shift (problem solving)	Feeling the presence of the Prophet	Purifying the clean one by performing shalat taubat (repent prayer) asking for forgiveness to Allah SWT
5	Adjusting continuously to a new positive behavior (self acceptance)	Realizing the positive behavior change in daily life	Purifying the Glory by doing dzikir and admiring the oneness of Allah by reciting la ilaha (Allah) (there is no God but Allah Ta'ala)

After completing tahalli stage that is self-charging with worship and obedience, the application of monotheism and proper and noble morality followed by tajalli stage. Tajalli means visible, open, revealing or expressing themselves. Finally, Sufism method in the counseling application includes knowledge, worship and self-care in totality and perfection. This not only cures thugs, prostitutes and mental, spiritual, and moral disorders, but also drives a man to be the pious, clean, pure, discovering the existence of God literally and empirically than once yet performing the prayer becomes prayers and Quran memorizers

The research data come from the whole congregation of *sholawat mafia* who organizes activities from Semarang, Ponorogo, Ngawi, Trenggalek, Nganjuk, and Tulungagung to foreign countries including Korea. Based on the information given by Gus Ali Shadiqin mainly PSK former gangsters who have successfully changed their behavior becomes Quran memorizers approximately 10 clients, researchers chose two people comprised one former thugs and one former prostitute. The resources are taken in the following sequent.



Picture 2: Purposive Random Sampling Selection
Fraenkel & Wallen (2009)

Picture 3: Sufism Counseling Process of Mafia
Sholawat

RESULT AND DISCUSSION

This Sufism method can be done by people including researchers who learn from Gus Ali Shadiqin, so that what is done can be considered as a behavioral change therapy

TABLE III
SUFISM COUNSELING EXPERIENCE OF THE
RESEARCH SUBJECTS

Subject	Counseling experience	Product of the change
1	When I heard about mafia, I'm curious that I wanted to follow the mafia, I heard that the followers of the mafia are young people starting from the "black to white", the figure of Gus Ali who embraces all classes made me want to open my heart to join him, first day I heard Gus Ali sang a very touching sholawat. Then on the next mafia meeting, I heard sholawat again and Gus Ali said "no matter how evil we are if we want to repent ... Allah will the door of our repentance ..." from that moment then actively participated ... slowly I put his words in my heart ... I said to myself that there door of forgiveness for me to be a good person ... I met him and I decided to be a good person. I'm not ashamed of admitting my past, I dare to be side by side with others regardless their past. I repeated the lyric and the contents of sholawat and recited istighfar. I built my confidence that I can be good. Allah is All-forgiving, any sin ... if we slowly ask for forgiveness, our sins will become depleted. There is a chance to be good. I end my life being diligent in praying and leaving my dark world. I am aware of in my heart to change for the better and start a new business and stay in Roudhotun Ni'mah boarding house	Becoming good person, performing five times prayers regularly
2	I used to live in violence pressing and hurting others for my needs ... I heard sholawat sung by Gus Ali and I was sunk in his voice and his words that provide motivation for all people, no negative appraisals from him to me even though I was like this ... there was only an appreciation ... that there were 99 people committing crime in the end of their life but they had a chance go to heaven, and on the other hand experts do good for his one actually believing go to hell ... my full tattoo ... but gusali says Allah see your heart open in your tattoo ... I feel welcome ... My heart berholawat and istighfar ... I want to connect with the prophet ... I decided to get out of the thugs and join ponpe roudhotun Ni'mah ... I learned reading and memorizing the Koran ... I put all the words into my heart I re-nuli ... I repented ... I'd love to be a good person ... I clean my thoughts and actions with many mebacastighfar, my God rahma ahead with sholawat ... I wash myself and I'll turn myself into a better human ...	Becoming Quran Memorizer

The information from the clients above can be illustrated by the researcher that the process occurs because of joining sholawat and istighfar are the Sufism counseling stages in the daily life of the research subjects.

Sources of data are in the form of words and behaviors of the clients shown during the counseling process in groups, and then the strategic effects for ex-hoodlums and prostitutes are observed. Data in the form of testimony are taken from clients who have successfully changed their behavior and Gus Ali Shadiqin's explanation. And this research also reveals the facts of verbal and non-verbal behavior which can be seen in their daily activity after *sholawat mafia* held in an area, or the clients who stay in Roudhotun Ni'mah boarding house of Semarang, or even those who reside in Korea and its surroundings.

At a glance, the figure of *sholawat mafia* whose preaching as believed by the researchers has successfully transformed ex-hoodlums and prostitutes becoming pious ones; and in the context of counseling it becomes the success of a changing behavior method. Then the researcher believes that Gus Ali Shadiqin is someone who has successfully changed clients' negative behavior into positive one through touching speech in *sholawat* lyrics, pray phrases, and advice delivered in several meetings with the research subjects.

The researcher argues that KH. Muhammad Ali Shadiqin or Gus Ali Gondrong, a chairperson of Pesantren Roudhotun Ni'mah boarding house in Semarang, can be used as an inspiration source to give counseling to Muslim clients with *sholawat*: Sufism counseling. His boarding house becomes famous not due to sholawat mafia, but because he is preaching in a way appropriate for youth. The figure of Gus Ali is loved by young people and most of them are street children, _naughty_ children, and hoodlums.

Gus Ali's pupils or Santri is also not ordinary children born to ordinary families, but they are _extraordinary_ kids, since they can get out of the dark society covering them. Most santris are hoodlums, thugs, ex-gambler, ex-drunkards, and

even ex-prostitutes. Everyone receives guidance from Allah SWT so that they can be educated at Pesantren Roudlotun Ni'mah boarding house. In around Ponorogo, Gus Ali is very well-known. The communities who actively follow his forum are called "*Sholawat Mafia*". This may sound quite weird for common people, since the word "*Mafia*" stands for *Manunggaling Fikiran lan Ati ing Ndalem Sholawat*.

The meaning of *Mafia* is unifying mind and heart into *Sholawat*. It is expected that the followers will love to do *sholawat*, and doing *sholawat* continuously and full of self-consciousness. Even though he has a great name yet the higher the towering trees, the louder the wind in. *Sholawat mafia* is widely discussed by the public. Gus Ali Gondrong's video is with *Mafia Sholawat* featuring SemutIreng. *Mafia sholawat* stands for *Manunggaling Fikiran lan Ati ing dalem Sholawat* (unifying mind and heart in *Sholawat*). Members of this community come from various life backgrounds, among them are the youth and ex-thugs. It is hoped that this youngster style *sholawat* group can attract many people, especially the youth. Thus, young people have a good habit by joining *shalawat*.

Currently Gus Ali Gondrong is nurturing Islamic boarding school of Roudlatul Ni'mah at Jl. Supriyadi Gg. Kalicari IV 3 Semarang. According caregivers of the boarding school, Drs KH. Mohammad Ali Shodiqin, many students who have to *'be cared'* forces the managers to think creatively. Uniquely indeed, this boarding school rents party tools such as tables, chairs and tents. Also they have Tambourine Groups named —*Semut Ireng*! which personnel are students of this boarding school.

The result of the interview with the subject revealed the fact that, listening to the words, lyrics, *sholawat*, *tausiah* that touched the heart of the research subjects when listening to Gus Ali Shodiqin sang *shalawat* songs. And his lyrics and *tausiah* (advise) delivered stressed the need to unify mind and soul into *shalawat*, not to die before repentance, repentance door is opened if we read *sholawat*, and no matter how evil we are, even though we have done sins if we indeed repent and continuously seek forgiveness and apologize to Allah, the dirt in our heart and our evil behavior will be forgiven by Allah especially by using *sholawat*. Never give up begging, praying, reciting *sholawat*, and finally with the blessing of *sholawat*, we will be perform prayers and worship regularly and become a good human being.

Words delivered through *sholawat* and the content of advice in *sholawat* songs motivates anyone who listens to them to be good persons. The following is one of song's lyrics used as counseling Sufism therapy.

IV. CONCLUSION

The flow chart of behavior change in Sufism counseling therapy can be illustrated as the following.



Picture 4: Cycle Of Sufism Counseling

Results of the study answer the first problem on how is the process of client's behavior change. The answer is the Islamic counseling therapeutic through *sholawat* (prayers) with which if the clients recite repeatedly and inspire the content and the message of *sholawat*, this inspires them to be good person. The elements of repetition and seeking forgiveness (*istighfar*) confidently will gradually eliminate the dirt in their heart and it is removed by Allah. This is the Sufism peculiarity of this technique which is a method of self-cleansing Sufism in a thorough cleansing of all deviant or bad feelings, words, and deeds in the past, starting from the heart and then to the thoughts and deeds.

Novelty of this study is that Muslim counselors can learn to counsel their clients using this Sufism approach here and now. Whatever they did in the past can be ignored and the important one now is that any fault or misconduct done in the past will slowly be dissolved in the concept of *nasuharepentance* which is in counseling called as better behavioral shift. Persuading the heart and mind not to repeat the mistakes is the follow-up therapy and final product of Sufism counseling is a new positive behavior and the client's ability to maintain their behavior based on the religion and the benefits as a better man. Transferring the value of *sholawat* and *istighfar* is the main objective of this Sufism counseling. All the lyrics and of key words contained in *sholawat* delivered by the counselor is an important part of this Sufism counseling. When someone has done *sholawat* and *istighfar* regularly, then this is a means of lobbying the forgiveness of Allah ... For example, Gus Ali said —we do *sholawat* and *istighfar* until Allah really gives His forgiveness to us, we have to believe it. I ... both should be recited frequently until becoming ingrained in the client's life, believing that the miracle will come up with what we say and together with the fortress we always

deliver. Besides, the client should recite a wirid or recitation and understand its meaning as a self-defense. The recitation which must be narrated repeatedly in a certain amount along obligatory prayers is —fayahin wayayuuhin wayakhairo baariin wayaman la lanal arzaaku min judihi namatl. This is the typical Sufism counseling of Nusantara Indonesia with wirid or —rapalanl. The counseling which changes someone's behavior using Sufism method are: self-cleaning, becoming a new man boosted with certain wirid according to each client's case.

The results of the research are to answer the second problem on how is the process of Sufism method becoming one of counseling approaches which could be applied to other clients. As a science, this Sufism approach is effective to be applied by other Muslim counselors and clients. Clients who have been treated with this method are also those with other deviant behavior have also been turned into good persons. A counselor who uses counseling Sufism therapy should be able to recite the lyrics of sholawat in various versions and types according to the clients' problems.

This study suggests an attempt to increase the number of research subjects with the specification of various behavior changes in targeting behavior change. Other counselors who plan to apply this method should also observe —Gus Ali Sholidiqinl model in giving Sufism counseling therapy either through videos or direct therapies.

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The Creative Traditions of Indonesian Islamic Thought

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Abstract - Western theory influences world controversies between tradition and modernization. The theory usually differentiates and separates tradition from modernization. However, they can be harmonized simultaneously in Islamic world generally and in Indonesia specifically. Based on this unique condition, the present paper discusses the creative traditions of Indonesian Islamic thought from 1980 until 2014. It is aimed at describing the creative traditions of Indonesian Islamic thought in formulating *ijtihad* concept, developing Islamic science of *fiqh*, and synergizing Islam and science. The data are collected by using sociology approach and documentation method (library research), and analysed by using content analysis. It is found that there is a creative tradition in Indonesian Islamic thought in creating a broadened concept of *ijtihad* and its various models; in developing 26 kinds of *fiqh*, some of which are originally new; and in integrating and harmonizing Islam and science in four models, namely: the islamization of science, Islamic scholarship, scientific integration, and the integration-interconnection of science.

Keywords: *tradition, Islamic thought, ijtihad, fiqh, integration*

I. INTRODUCTION

In Western theory, modernization always clashes with tradition. The theory is empirically proven when it is used to explain tradition or Christianity in the West, but fails to generalize it to the traditions of Islamic thought in Muslim countries, including the traditions of Indonesian Islamic thought. Azra stated that "... In contrast to these theories, religion even experienced a revival and found momentum and new vitality in modernization" [1].

Indonesian Islam has a creative and dynamic tradition in dealing with modernization strikes by trying to bridge the two in order to become a balanced blend. History records that tradition remained creative amidst modernization creativity. The creativity and dynamics of the tradition of Indonesian Islamic thought provoked the attention of a France researcher, Andree Feillard. In giving an introduction to Husein Muhammad's book *Fiqh Perempuan Refleksi Kiai atas Agama dan Gender*, Feillard stated that Indonesia has become a kind of reference for the Islamic world since a few years

ago because of the development of fertile thinking that rarely happens in other countries [2].

The creativity and dynamics of Indonesian Islamic thought traditions began rapidly in 1980. Azra stated that "The decade of the 1980s was not excessive if it was said to be one of the most interesting decades in the course of the Islamic movement in Indonesia" [1]. Qodir added that in religious viewpoints, 1980s' was an 'embryo' nursery for the emergence of a renewal Islamic movement in Indonesia which had begun since 1970 [3]. Furthermore, Kuntowijoyo said that "We can ensure that in the 1980s a new tradition was born. There is a tendency for cross-disciplinary movements in which religion becomes an inevitable part" [4]. As quoted by Kuntowijoyo, Ma'arif viewed contemporary Islamic thought as a struggle and creative work in constructing a new Islamic tradition after Muslims lose in the political struggle [4].

Based on these various opinions, the authors are interested in conducting a research that focuses on the creative traditions of Indonesian Islamic thought that grew from 1980 to 2014. The discussions covers three problems, namely the creative traditions of Indonesian Islamic thought in formulating *ijtihad* concept, developing Islamic science of *fiqh*, and synergizing Islam and science.

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II. METHOD

This study uses a sociological approach to see a shift in the tradition of Indonesian Islamic thought in facing modernization strikes. The data were collected by using documentation method (the text study/literature review). The collected data were analysed by using content analysis to capture the substance of the creative tradition of Indonesian Islamic thought, and by critical analysis to criticize the creative tradition of Indonesian Islamic thought. Content analysis is used to analyse initial data, while critical analysis is used to analyse data at an advanced stage.

III. RESULT

Creative Traditions in Formulating the Concept of *Ijtihad*

Indonesian Islamic thinkers generally interpret the *ijtihad* as maximizing capacity, while the formulation of the objectives of *ijtihad* is

somewhat different but the essence is the same. According to Basyir, *ijtihad* is to obtain syaria law provisions[5], while according to Zuhdi, it is to establish or apply the law[6]. According to Sya'fi, *ijtihad* is to obtain knowledge of laws through religious arguments[7], while according to Saiban, it is to find practical laws[8]. From these four views, the purpose of *ijtihad* is directed at the excavation of law, syaria law, or Islamic law.

The view of Indonesian Islamic thinkers regarding the *ijtihad* field turned out to be quite dynamic. According to al-Baqir and Masudi, the *ijtihad* field covers *dhanniy* arguments[5],[9]. For Sya'fi, the field includes laws that are based on the *dhanniy* arguments; laws that have no scriptural texts yet; and *ijma'* from the scholars[7]. According to Zuhdi, the *ijtihad* field includes: The problem that has *dhanniy* texts; The problem that has *qathiy* text but the instructions are *dhanniy*; The problem that has the *dhanniy* text but the instructions are *qathiy*; and problems that have no texts, while *ijma'* has not been reached [6]. According to Hosen, the *ijtihad* field includes: new problems whose laws have not been affirmed by the Qur'an or Sunnah; new problems whose laws have not been agreed upon by ulama; *dhanniy* and disputed legal arguments; and Islamic law whose reason can be known by *mujtahid*[10].

Furthermore, there are five models of *ijtihad* that are considered appropriate for Indonesia. The first is the model of *ijtihad jama'iy* (collective *ijtihad*) proposed by Basyir[5], Nasution[5] and Rahardjo[11]. The second is the model of *ijtihad tarjhiy* and *ijtihad maudluhiy* (thematic) proposed by Hosen[5]. The third is the model of *ijtihad intiqaiy* proposed by Adam[5]. This model of *ijtihad* is almost the same as *ijtihad tarjhiy*. The fourth is the model of modern scientific *ijtihad* (*al-ijtihad al-ilmiy al-ashriy*) proposed by Azizy[12]. The fifth is humanistic *ijtihad* proposed by Sjadzali[13], whereas the sixth is the model of civilization *ijtihad* (*ijtihad al-hadlarah*) proposed by Qomar[14].

Given the importance of *ijtihad* as a strategy to advance Islamic civilization, Indonesian Islamic thinkers are also very responsive to *ijtihad* activities. Zuhdi, Muzadi and Azizy agreed that *ijtihad* is very much needed by the people in solving contemporary problems without feeling uncomfortable with criticisms[6],[15],[12]. Therefore, the door of *ijtihad* must be opened (Rakhmat[5], Hosen[5], Yafie[5], Nasution[5]). Hosen[5] advocated to promote *ijtihad* through mastery of *usul al-fiqh*, *fiqh* and *comparative ushul al-fiqh* especially in universities. Siradj[5] tried to break through the freezing of the pesantren education system by teaching *tariqat al-ijtihad* such as the *ijtihad* system of Sya'fi, *tariqat al-istinbath*, *tariqat al-istidlal*, and others.

Creative Traditions in Developing the Science of Fiqh

There are 26 types of *fiqh* found in Indonesia, specifically written by *fiqh* experts and / or Indonesian Islamic thinkers, namely *zakat fiqh*, *waqf fiqh*, *muamalah*, *munakahat*, *jinayah*, *corruption fiqh*, *mawaris fiqh*, *social fiqh*, *interfaith fiqh*, *inter-religion fiqh*, *environmental fiqh*, *siyasah fiqh*, *state school of fiqh*, *nation's fiqh*, *democratic fiqh*, *citizenship fiqh*, *education fiqh*, *free trade fiqh*, *women's fiqh*, *controversial fiqh*, *daily fiqh*, *entertainment fiqh*, *tradition fiqh*, *contemporary fiqh*, *alternative fiqh*, and *Indonesian fiqh*.

Zakat fiqh has been written by El-Madani[16], *Fiqh Zakat Lengkap Segala Hal tentang Kewajiban Zakat dan Cara Membaginya*. This book explains the concept of *zakat* in its entirety through in-depth research and study of the Qur'an, *Sunnah* and some works of Sya'fi's school. The Ministry of Religion of Indonesia has constructed *Fiqh Wakaf* as an initial *waqf* guideline to enlighten Muslims' understanding of *waqf* [17]. Furthermore, there is *muamalah fiqh*, *munakahat fiqh*, *jinayah fiqh* and *mawaris fiqh*. *Muamalah fiqh* has been written by Karim[18], Suhendi[19], and Huda[20]. Of all the books, Suhendi's work is far more dense and detailed. *Munakahat fiqh* was written by Ghozali[21] through his work *Fiqh Munakahat Seri Buku Daras*. This book is compiled according to the syllabus of the Islamic education department at UIN Syarif Hidayatullah Jakarta. Therefore, the discussions are rigid, too formal, and impressively attached to the themes in the syllabus. *Jinayah fiqh* was written by Irfan and Masyrofa[22] under the title *Fiqh Jinayah* that focuses on criminal issues in areas that applied Islamic law. *Fiqh mawaris* was written by Umam through his work *Fiqh Mawaris untuk IAIN, STAIN, PTAIS*. As a textbook, the discussion of material is very formal, rigid, and limited [23].

Corruption fiqh has been discussed in a Workshop organized by APPGAK NTB and SOMASI NTB in November 2002. The papers are published under the title *Fiqh Korupsi Amanah vs Kekuasaan*[24]. The contributors are J. Piliang, Sapto Waluyo, Gatot Sulistoni, Eryvn Kaffah, Masdar F. Mas'udi, Muardi Chatib, and Moh. Asyiq Amrullah. *Social fiqh* in Indonesia has been initiated by Mahfudh in *Nuansa Fiqh Sosial*[25], and Yafie in *Menggagas Fiqh Sosial dari Soal Lingkungan Hidup, Asuransi hingga Ukhuwwah*[26]. *Interfaith Fiqh* was proposed by several Islamic thinkers of Paramadina initiated by Madjid[27]. In a book entitled *Fiqh Lintas Agama Membangun Masyarakat Inklusif-Pluralis*, the writers proposed a new breakthrough in regulating the relationship of Muslims with other people in a

pluralistic society. *Fiqh* on inter-religious relation was developed by Al-Munawar[28] through his work, *Fiqh Hubungan Antar Agama*, as an effort to put the discourse of interreligious relations within the framework of *fiqh*.

Another phenomenon is the emergence of environmental *fiqh* built by Yafie. In his *Merintis Fiqh Lingkungan Hidup*, Yafie offered a *maslahat* approach as an integrative effort in building an ethical environment[26]. *Siyasah fiqh* was pioneered by several experts, such as Pulungan, Djazuli, and Sjadzali. Supported by other writers, the three experts proposed the concept of *fiqh* in building and equipping Indonesian state administration based on Islamic teaching. Wahid and Romadi have written a more specific *fiqh* in a book entitled *Fiqh Madzhab Negara Kritik atas Politik Hukum Islam di Indonesia*[29]. The term *fiqh madzhab Negara* is the most appropriate term to mark the Compilation of Islamic Law in the legal political landscape in Indonesia.

Other creative traditions are nation's *fiqh*, democratic *fiqh* and citizenship *fiqh*. Nation's *Fiqh* was initiated by Tanwirul Afkar of Ma'had Aly Salafiyah Syafi'iyah Sukorejo Situbondo by issuing a book *Fiqh Rakyat Pertautan Fiqh Dengan Kekuasaan*[30]. *Fiqh Demokrasi Mengungkap Kekeliruan Pandangan Haramnya Umat Terlibat Pemilu dan Politi* was written by Samudinto examine democracy and political practices comprehensively[31]. Citizenship *fiqh* was compiled by Mohammad AS Hikam, Soetandyo Wignjosebroto, Kacung Marijan, Mohtar Mas'oed, Budi Setiawan, Hotman Siahaan, Masdar Farid Mas'udi, Simon Filantropa, Ali Haidar, Wahib Wahab, and Saiful Bahri Anshori. They constructed a new *fiqh* concept in *Fiqh Kewarganegaraan Intervensi Agama-Negara Terhadap Masyarakat Sipil*[32].

Fiqh on education has been written by Mochtar but he fails to discuss it from *fiqh* perspectives. Free trade *fiqh* was discussed in *Fiqh Perdagangan Bebas* by several experts, such as Ali Yafie, Mohammad Hidayat, M. Anwar Ibrahim, Mohammad Syafi'i Antonio, Achmad Mubarak, Roby Rosyidi, Karnaen A. Perwataatmadja, Fathor Rahman Fadli, Marzuki Usman, Said Agil Husin Al-Munawar, Cecep Maskanul Hakim, Nurdin Hasibuan, and Ateng Kusnadi. The book becomes a conceptual theological foundation to overcome problems arising from free trade[33]. Women's *fiqh* was discussed by Muhammad and Hamidah. Muhammad has launched the principle of gender equality in his *Fiqh Perempuan Refleksi Kiai Atas Wacana Agama dan Gender*[2]. Hamidah seeks to deconstruct classical women's *fiqh* as well as reconstruct it to be more responsive and accommodating to the needs of women today in her

Fiqh Perempuan Berwawasan Keadilan Gender[34].

Other creative traditions can be seen in *Fiqh to Day Fatwa Tradisionalis Untuk Orang Modern Fiqh Kontroversial*. It is a controversial *fiqh* initiated by Yasid et.al. who concerned with daily sensitive matters[35]. Daily *fiqh* is compiled by Bisri through his work *Fikih Keseharian Bunga Rampai Masalah-Masalah Keberagamaan*[36]. It is a compilation of Bisri's answers to the readers' questions in *Harian Sore Wawasan. Fiqh Entertainment* was issued by Shomad as the answer to porno-action and pornography controversy[37]. *Fiqh Tradisi Menyibak Keragaman dan Keberagaman* written by Aibak represents *fiqh* on tradition, but it only has a few discussions relating to traditional *fiqh* in its sub-sections[38]. Aibak also issued *Fiqh Kontemporer* but its material is almost the same as the material of Masjuk Zuhdi's book *Masail Fiqhiyyah Kapita Selekta Hukum Islam* written in 1980s' except the first chapter that deals with Islamic perspectives on pornography and porno-action.

There is also a new *fiqh* written by Kau entitled *Fikih Alternatif*. This book is motivated by the spirit of *fiqh* which provides many possible choices[39]. *Fiqh* based on geographical area gave birth to Indonesian *fiqh* which was conceived by Wahid through his work, *Fiqh Indonesia Kompilasi Hukum Islam dan Counter Legal Draft Kompilasi Hukum Islam Dalam ingkai Politik Hukum Indonesia*. This *fiqh* is constructed according to the personality, character, and culture of Indonesian people [40].

Creative Traditions in Integrating Islam and Science

The creative tradition of Islamic thinkers in Indonesia in combining Islam and science has succeeded in four models. The first model is the Islamization of knowledge that arises because of the flow of materialism and positivism that rejects religious values and even removes God in the formation of knowledge. In this model, the Western secular sciences are Islamized or imbued with Islamic values. Nata stated that the Islamization of science was a reaction to the concept of religious and scientific dichotomy that was incorporated into Western society and the culture of modern society[41]. According to Muhaimin, the Islamization of knowledge has three models: the purification model, the modernization model of Islam, and the neo-modernist model[42], while according to Bastaman, it covers models of similarization, parallelization, complementation, comparison, inductification, and verification[43].

The second model is the Islamic scholarship initiated by Kuntowijoyo as a criticism to the Islamization of knowledge model. Following

Hegel's dialectical thinking pattern, Kuntowijoyo argued that the Islamization of knowledge is a thesis, while this Islamic scholarship is the antithesis. Kuntowijoyo also asserts that the Islamization of knowledge is reactive, while this Islamic scholarship is proactive. The Islamization of knowledge moves from the context to the text, while Islamic scholarship moves in the opposite direction, departing from the text (revelation) towards context (science). Through Islamic scholarship, the subjective nature of religion turns into the objective nature of science. Subjective nature is hidden, while the objective nature is put forward. [44].

The third model is scientific integration. According to Sholeh[45], the model of Islamization of knowledge needs to be Islamized as it places Western scholarship not in accordance with *fitrah*. The model of scientific integration places Islamic civilization and Western civilization in the equal position and seeks to integrate both. The concept of integration and scientific reintegration is expected to resolve conflicts between extreme secularism and negative fundamentalism of religions that are rigid and radical in many ways.

The fourth is the integration-interconnection scientific model. This concept was conceived and developed by M. Amin Abdullah from the concept of scientific integration. The scientific integration is rather ambitious while the interconnection model is softer. Integration seeks to connect and unite two or more material, thoughts or approaches, whereas interconnection tries to bring together and connect them because unification is not possible. Therefore, it is necessary to link all sciences or even unite Islamic science with general sciences through trialectics: the tradition of texts (*hadlrat al-nash*), academic-scientific traditions (*hadlrat al-'ilm*), and critical ethical traditions (*hadlrat al-falsafy*). Interconnection recognizes the existence of dialogue and does not deny the existence of a thesis and antithesis[46].

IV. CONCLUSION

From the above discussions, it can be concluded that, first, there has been a creative tradition among Indonesian Islamic thinkers in constructing the concept of *ijtihad*. It covers the field of *ijtihad* offering some *ijtihad* models, ranging from *ijtihad jama'iy model*, *ijtihad tarjihy* and *ijtihad maudhu'iy*, modern scientific *ijtihad*, humanistic *ijtihad*, to civilization *ijtihad*. Second, the Indonesian thinkers have developed 26 specific kinds of *fiqh*. Among the 26 types of *fiqh* there are indeed several kinds of *fiqh* which are only repetitions of classical book chapters, such as zakat *fiqh*, *waqf* *fiqh*, and inheritance *fiqh*. However, there are a few attempts to create new *fiqh*, such

as interfaith *fiqh*, environmental *fiqh*, women's *fiqh*, entertainment *fiqh*, citizenship *fiqh*, and Indonesian *fiqh*. Third, there has been a creative effort to reach four stages in integrating Islam and science, namely the Islamization of knowledge, Islamic scholarship, scientific integration, and scientific integration-interconnection.

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The Development of Tasawuf in Mataraman and Social Religion Change

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Abstract— The distribution of sufism in Tulungagung and Mataraman region has been detected since the entry of Islam into the archipelago, brought by walisongo and then developed until now. This paper aims to know since when tasawuf entered Tulungagung in particular and mataram area in general, because in East Java Islam has good development and become the majority religion of the population, even now moderate Islam or Islamic archipelago has become a symbol of Islam in Indonesia which then is expected to become the national identity .

Keywords— *history, Sufism, and religious social change.*

I. INTRODUCTION

Sufism in general is an attempt to get closer to Allah as close as possible, through spiritual adjustment and multiplying business worship and closer self is usually carried out under the guidance of a teacher or shaykh. The teachings of Sufism that must be taken to get closer to God is the true essence of the tarekat.

According to Syamsun Niam (2014) Sufism is knowledge of all forms of behavior of the human soul, both praiseworthy and reprehensible; and then how to remove it from the interrupted and adorn it with praises, how to pursue the way of God and run as fast as possible toward God. While the Sufi is inheriting the science and charity of the Prophet Muhammad, also inherited morals in accordance with his heart (mentally), that are zuhud, wara', fear (to God), hope (God please), patience, hilm (mental stability), love (to God and all that God loves), and ma'rifah (a thorough going devotion to the deity).[1]

Sufism in general is an attempt to get closer to Allah as close as possible, through spiritual adjustment and multiplying worship and closer self is usually carried out under the guidance of a teacher or shaykh. The teachings of Sufism that must be taken to get closer to God is the true essence of tarekat.

Tarekat according to Abu Bakar Aceh is a way, instructions in carrying out worship in

accordance with the teachings determined and exemplified by the prophet Muhammad saw and carried out by *sahabat* and *tabiin* hereditary and connect to the teachers.[2] With a way of teaching or educating, it gradually expanded to become a family gathering that binds the same and harmonious Sufi adherents, in order to make it easier to accept the teachings and practices of their leaders in one bond.

Thus Sufism is an attempt to get closer to God, while *tarekat* is the way and the path taken by someone in an attempt to get closer to God. This picture shows that *tarekat* is Sufism which has evolved with certain variations. In accordance with the specifications given by a teacher to his students

The history of the *thariqat* or *tarekat* in Indonesia is believed to be as old as the history of Islam's entry into the archipelago itself. Western historians believe that Sufism of Islam makes the people in nusantara that are Hindu and Buddhist become very interested. The tradition of those religions (Hindu and Buddhist) rich in metaphysical and spiritual dimensions. And it is considered to be closer and more adaptable to *tariqah* tradition brought by *wali*. So that the big change took place almost without dripping blood even little. This is in contrast to the massive process of Islamization in India through conquest and pressure. Until now and more over after India has been divided into three. There are with Pakistan and Bangladesh which Muslims still have not succeeded in massively shifting Hinduism as the majority religion of society.[3]

The development of tarekat religious organization originated from the influence of the Sufis (experts in Sufism) who practiced worship that was practically individual. Then developed with various concepts and thoughts and formed a *tarekat*. The influence of the Sufis in turn extends throughout the Islamic world including Indonesia.[4] So do not be surprised if Islam in Indonesia is strongly influenced by Sufism. In the next development of da'wah, *tarekat* has a great influence and role in various areas of life both

social, political, cultural and educational pictured in the dynamics of pesantren world.

The magnitude of the influence of tarekat in Islamization is also supported by historical findings that Islam has actually entered the archipelago since the 7th century, and in Java since the 11th century, but so far it has not significantly changed the religion of the archipelago. Islam on that time only becomes the religion of the immigrants who gather in small communities in several cities on the coast of Java, such as in Leran (Gresik), Indramayu and Semarang. While the indigenous people are told are still living with the old religion, even depicted with a dirty pattern of life.

The process of Islamization of the archipelago on a large scale only occurred at the end of the 14th century or the beginning of the 15th century, along with the golden age of the development of Islamic mysticism which was marked by the emergence of tariqah schools in the Middle East. The phase itself has begun since Imam Abu Hamid Muhammad Al-Ghazali (died 1111M) formulated the concept of moderate Sufism which combines the balance of the elements of morality, *syari'at*, and *philosophy*. The concept was openly accepted by the jurists who had previously opposed all the controversial philosophical teachings of Sufism. Followed by popping up of the teaching centers of Sufism led by the leading Sufis later known as tarekat or tariqah shufiyyah like *Qadiriyyah*, *Kubrawiyyah*, *Syadziliyyah*, *Rifaiyyah*, *Naqsyabandiyyah*, *Syathariyyah*.

In his research Martin Van Bruinessen argues that the majority of Indonesians are attracted to tarekat because of their taught mystic training and their spiritual power they can gain, interest in such things is still life everywhere in Indonesia, or also people interested in following tarekat because the personality of the leader or tarekat syaikh that is charismatic. So it's also a big influence on tarekat followers. Even *kyai* who teach tarekat tend to have more followers than *kyai-kyai* who do not teach tarekat.[5]

Tarekat that grows and develops in Indonesia is very much. In Indonesia there is a special agency that gives attention to tarekat. Seen from the teachings of Islam orthodox, there are tarekat which are considered legitimate (*mukhtabarah*) and there are tarekat which are considered invalid (*ghair mutabarah*).

A tarekat is called to be valid if it has links (as like family tree) that *mutawatir* so that the practice in the tarekat can be accounted for by the Shari'a. On the other hand, if a tarekat does not have *mutawatir* links so that the teachings of tarekat can not be accounted for having validity base and is therefore called an illegal tarekat (*ghair mutabarah*).[6]

It should be noted that in Indonesia tarekat is always associated with NU(*Nahdlatul Ulama*) organization, this is because Nahdlatul Ulama is a different traditional Islamic group from Muhammadiyah which has a modern Islamic that is *anti-bid'ah*. [7] For Nahdlatul Ulama there is actually no discrimination in tarekat. All tarekat are considered legitimate or mukhtabarah provided that they are in accordance with the provisions of the teachings of Islam Ahlus Sunnah Wal Jamaah and their genealogy continues until the Messenger of Allah SAW is uninterrupted.[8]

In the beginning, there was no organization specifically to monitor the development of tarekat organizations in Indonesia. However, due to the increasing number of sect flows in the syncretist section of the tarekat, on October 10, 1957 tarekat kyais established *Jamiyyah Ahli at-Tariqah al-Mutabarah* (a recognized organization of tarekat followers). Sheikh Jalaludin, a prominent tarekat leader, said there were 41 kinds of *mu'tabaroh tarekat*. [9]

Syadziliyyah tarekat has entered Indonesia long ago. One of the figures, Gus Dur, said that *Mbah Panjalu*, who is ulama's ancestor in the land of Java, is a follower of Syadziliyyah tarekat. *Walisono* also adhered to the Syadziliyyah tarekat, such as in Pekalongan and Banten. Syadziliyyah tarekat then developed rapidly in East Java precisely in Tulungagung. The most influential figure in developing Syadziliyyah tarekat in Tulungagung is Sheikh Mustaqim bin Muhammad Husein bin Abdul Djalil. He has established an Islamic boarding school called PETA, which until now stands firmly in the center of Tulungagung. PETA Islamic boarding house is slightly different from the Islamic boarding school in general who teaches many books (called *kitab* in javanese) related to *Syariat* of Islam or teaches and memorizes al-quran. But we must know that PETA develops or teaches *Syadziliyyah tarekat*, *Qodiriyyah*, and *Naqsabandiyyah*. *Qadiriyyah tarekat* is a tarekat taught by Sheikh Abdul Qodir Jaelani.[10]

The development of religious organizations tarekat begins from the influence of the Sufis (Sufism experts) who practice the worship of a practical nature of the individual. Then developed with various concepts and thoughts and formed a tarekat. The influence of the Sufis in turn extends throughout the Islamic world including Indonesia.[11] So do not be surprised if Islam in Indonesia is strongly influenced by Sufism. In the next development of da'wah, tarekat has a great influence and role in various areas of life there are in social, political, cultural and educational depicted in the dynamics of *pesantren* (the other name of Islamic boarding school in Indonesia) world.

In its development, the world of pesantren was seen as participating in fostering a pattern of Sufism approaches that had been carried out by its ancestors (read: *Wali Songo*), both through Sufism and practice. In practice, the caregivers of the pesantren participate in enlivening the practices of Sufism in the midst of society, for example *zuhud*, *riyadah al-nafs*, *dhikr* and others. This example is exemplified while inviting santri and the surrounding community to come to do the same thing.

Meanwhile, in the process of spreading tasawuf discourse, the urgency of the role of *kyai pesantren* was proven by their diligence to review yellow book/*kitab kuning* (the designation of special book in *pesantren*) containing of Sufism. Certainly, it is not just any *kitab kuning* read because in the pesantren tradition it is known that to read *kitab kuning* at least the reader (*al-muqri*) must ever study or have obtained a certificate on the book which he will read from a *kyai* who is quite famous for his wisdom. This model is done so that what is reviewed in the presence of *santri* and the wider community has a clear understanding of *sanad*, as well as a guide for readers to continue to be very careful in reading and interpreting text reading of Islamic teachings, especially yellow books used in Arabic.[12]

A humanist from Jember University, Ayu Sutarto said, East Java region is divided into ten *Tlatah* (group/community) or cultural area. *Tlatah* big culture there are four, namely *Mataraman*, *Arek*, *Madura* Island, and *Pandalungan*. While the small plan consists of *Javanese Panoragan*, *Osing*, *Tengger*, *Madura Bawean*, *Madura Kangean*, and *Samin (Sedulur Sikep)*. These groups then differentiates the characteristics of the people in East Java based on their region. According Koentjaraningrat, there are seven elements of culture that ultimately make East Java is divided into ten *tlatah*. The seven elements are: religious system, system of community organization, knowledge system, livelihood system and economic system, technology system, equipment, language, and art.[13]

East Java Mataraman region covers areas in the western part of East Java, namely Ngawi District, Regency and Madiun City, Pacitan Regency, Magetan Regency, Kediri Regency, Nganjuk Regency, Tulungagung Regency, Blitar Regency and Regency, Trenggalek Regency, Tuban Regency, Lamongan District, and Bojonegoro Regency. It was named Matraman because this region still has a strong influence from the culture of Mataram Kingdom. When looking at the customs, people in the region Matraman is similar to people in Central Java, especially Yogyakarta and Surakarta. The most striking thing is the use of Javanese language still impressed

smooth though not as smooth as people in Yogyakarta and Surakarta.

In Mataraman, several prominent figures who spread tarekat were Kyai Jampes from Kediri, Kyai Djalil from Tulungagung, Gus Mik from Kediri and Wahidiyah at Bandar. Every these figures has their own thoughts and ways of developing tarekat in their area.

One of them is Kiai Ihsan ibn Dahlan ibn Saleh Jampes, here in after called Kiai Jampes, live and develop in pesantren tradition. There is no detailed data that mentions the birth of Kiai Ihsan, but one source said he was born in 1901 in the Jampes Islamic boarding school, Putih village, Gampengrejo district, Kediri, East Java.[14] From this pesantren tradition and his struggle with the wider community led Kiai Ihsan to be the advocate of pesantren ideology, at least in the context of grounding the spirit of Sunni tasawuf as imam al Ghazali model which is held by the majority of traditional pesantren or Muslim community in Indonesia.

Kiai Ihsan Jampes is one of the figure of the continuity of the archipelago sufism model, which is a sufism interpretation that combines the reason of tasawuf al-Ghazali or Sunni sufism with local community locality. At a glance, must we know that Kiai Ihsan known as *kyai* which has „*allamah*“, even have more ability in the Sufism world, both discourse and practice. The Book of *Siraj al-Talibin* is a review of the book *Minhaj al-Abidin* by Imam al-Ghazali, is seen as quite illustrating the wisdom of the writer, namely Kiai Ihsan. The reason, this work is written with a *fusha* Arabic dialect that is easy to read. Not only that, the fame of Kiai Ihsan's name resulting from his work does not make him glare to leave pesantren, even he still continues and *istiqamah* lead Islamic boarding school (*pondok pesantren*, a called famous in javanese) Jampes Kediri while reading yellow book in front of *santri* (a called for the students in pesantren) until the end of his life, in addition *kyai* Ihsan always takes the time to continue writing for his hobby.

His teachings on Sufism are well illustrated, especially in interpreting the terms of the Sunni Ghazalian Sufism. From here, it appears that Kiai Ihsan's main legacy is his ability to ground Sunni Ghazalian Sufism in the sphere of the traditional Muslim community, rather than pesantren and Islamic communities of Indonesia, is Sufism that always in shariat, tarekat and essence frames.

From the above description is known that discuss the history of Islamic development in the archipelago can not be separated from the history of the development of tarekat. Each region has its own tarekat history, unfortunately not all history of tarekat development is well documented, or later unearthed by researchers. But there is no writing

that lifts the history and development of other tarekat in the scientific realm.

Research Problems

From the phenomena which have been stated above, then the problems are:

- How is the development of Islamization in Mataraman East Java especially Sufism?
- Who are the figures of sufism in Mataraman and how are they thought?
- What is the social and religious change in the Tarekat community at the beginning of the establishment until now?

The Purposes of The Study

The goals of the study here are:

- To know the history of the development of ta in Mataraman.
- To find out the Sufi development figures in Mataraman and his thoughts.
- To know the religious social changes in the Tarekat community at the beginning of establishment until now.

II. METHOD

This research when viewed from the type of data source, use a combined method of field research and library research. But if viewed from the characteristics of the data it is included in qualitative research. There are 6 important steps in heuristic approach used in this research: early involvement, indepth research, incubation, illumination, revelation, explication, creative synthesis is the top of the research. The strength of this method is its ability to reveal the truth through dialogue with other people who will create comprehensive knowledge. Taking into account the type of research, the primary data sources in this research are two:

Stories of heirs, students, and people who know Tarekat in Mataraman are related to their knowledge and experience related to history and development

Notes, documentation or books that directly tell the history of tarekat in Mataraman.

While the secondary data sources in this research are books, scientific journals, and research results that review Tarekat in Arabic, English and Indonesian, print or online. Equally important is also a tertiary data source in the form of notes, articles or media coverage, both printed and online, which allude to Tarekat in Tulungagung. As we known, in qualitative research, the type of data produced is soft data, in the words form, both obtained from interviews, observation, and document analysis. In collecting such data, especially if research is done by people who are not yet experienced, there is a possibility that the data collected does not fit the framework as well focus of the problem. Therefore, data analysis through 3 steps such as in Miles and Huberman model. There

are: a) data reduction is summarize, choose the main things, focus on things that are important, sought the theme and pattern. The collected data is categorized and non-critical data is discarded; b) data display is done by means of brief descriptions, charts, relationships between categories, flowcharts, and so on; and c) conclusion. A study is considered quality if the data obtained passes the data validity test. In qualitative research, the validity of the data was tested by several test methods, namely:

a. Credibility test

The first test of data validity is the credibility test. Credibility testing was carried out by way of extended observations, increased persistence, triangulation, discussions with peers, negative case analysis, and member check. b. Test dependability

In qualitative research, dependability testing is carried out by auditing the entire research process.

RESULT

Kyai Ihsan Jampes from Kediri

Kyai Ihsan ibn Dahlan ibn Saleh Jampes, and the next referred to as Kyai Jampes, lives and develops in the pesantren tradition. There is no detailed data that mentions the birth of Kiai Ihsan, but one source said he was born in 1901 in the Jampes Islamic boarding school, Putih village, Gampengrejo district, Kediri, East Java. From this tradition of pesantren and his struggle with the wider community led Kyai Ihsan to be the advocate of pesantren ideology, at least in the context of grounding the spirit of Sunni sufism model imam al Ghazali model which is held by the majority of traditional pesantren or Muslim community in Indonesia.

Therefore, maintaining the continuity of Kyai Ihsan's inheritance becomes an urgent point of tangency with the pesantren intellectual tradition. The reason is that the continuity of pesantren's religious reasoning, especially in Sufism, will always be maintained from another generation of generation. Kyai Ihsan is a portrait of the intellectual product of pesantren with its religious characteristics which emphasizes moderation and tolerance in responding to various problems of humanity. By preserving its inheritance means later generations are committed to moderate and tolerant reasoning as an integral part of knitting harmony among people.

As a manifestation of this effort is the birth of the dhikir assembly attributed to Kyai Ihsan, in addition to several pesantren and pesantren Jampes themselves review some works of Kyai Ihsan, especially *Siraj al-Talbin*.

Now the assembly is known as *Jamaah Dzikir Istighasah Ihsaniyyah* which was first established in the town of Banyuwangi by Gus Abdul Latief Muhammad, one grandson of Kyai Ihsan in 1998. Ahead of a year later exactly on 9 September 1999 was established in the town of Kediri. The inclusion of this assembly to Kyai Ihsan (read: Ihsaniyyah) does not come suddenly, but has a reason and a conviction because any naming is always associated with the desired expectations of the originator.

Majelis (*a name of islam community in order to together studying about Islam*) Ihsaniyyah Istighasah did not just make it a forum for reading *dhikir* collectively, but at the same time became a kind of media for consultation and healing to the community. For example, healing for those who are addicted to drugs, stealing, gambling and others, through a method called Sufi healing. That is, there is a cultural *da'wah* strategy carried out by Gus Latif in an effort to approach people who do the best to Allah SWT through a direct and involved approach to the problems of their lives through some certain *dhikir-dhikir* (*something that muslim do in praying/worship to get closer with the god by chanting the good words as Islam touch*) that can calm them. It's not just talking to quote the texts of the Qur'an and hadith, without seeing directly the actual conditions they experience in everyday life

Gus Latif is able to be close to several local arts as a means to be able to enter the culture of the society he faces, including engaging in popular practices of his community, such as *jaranan*, *reog*, *leang-leong*, *ruwatan* and others. From the model of *da'wah* like this. And it is believed by santri community and abangan can easily live in harmony, without feeling forced. This pattern also ignites polemics about the terminology of Javanese society described by Clifford Greertz in *abangan*, *santri* and *priyai* category in *Religion of Java* (1976). That anything that Greertz defined about the Javanese society is not entirely true, although in some contexts religious and cultural research with the perspective of anthropological theory by Greertz is meritorious in spawning subsequent researchers who concentrate in the same field, albeit with different conclusions.

Majelis Istighasah Ihsaniyyah at least can not be separated from the religious understanding developed by Kyai Ihsan by promoting harmony with the nuances of society, in addition to trying to penetrate the Islamic values slowly. In the end, this harmony attitude is actually part of the *pesantren* model

in interpreting the command of *amar ma'ruf nahyi al-munkar*. [15] So, the most important meaning of this is the combination of strong Sufism values with *syari'ah* (the name of the rule in Islam) will create the birth of an attitude of accommodation towards the local culture. Because indeed, one of the most important entries of the mysticism of Kyai Ihsan once again is the necessity of spreading love to others as proof of the belief that Allah's grace is wider than His anger (*innaa rahmata Allahu wasi'un „an ghadabihi*).

While practical movement is the sincerity of Kyai Ihsan in practicing the teachings of the *Ahlu Sunah Wal Jamaah*, especially Sunni Sufism. It is not wrong if the next day he is known by the public as individuals who do not like to be known or introduce themselves, which in the world of Sufism is known as *Khumul* behavior. This was done in order to maintain his sincerity in charity as well as being well preserved as a manifestation of the recommendations of Islam, especially regarding *Ihsan* (*a name in Islam for doing the good things*). This *praktis* space illustrates the consistency of Kyai Ihsan's attitude, at the same time that Kyai Ihsan wants to give public understanding that theoretical means nothing, without any practical action. Especially in the context of Sufism, which is not sufficiently discussed in discussion forums, but needs to be practiced by those who really want clarity of heart in order to reach the ultimate goal of Sufism, namely *ma'rifat of Allah*. [16]

Kyai Mustaqim and Kyai Jalil from Tulungagung

Syadziliyah tarekat has entered Indonesia since the past. One of the figures namely Gus Dur, said that *Mbah Panjalu* who is the ancestor of ulama in the land of Java is a follower of tarekat Syadziliyah. Some Walisongo also follow Syadziliyah tarekat, as in Pekalongan and Banten. Syadziliyah tarekat is then growing rapidly in East Java precisely in Tulungagung. The most influential figure in developing Syadziliyah tarekat in Tulungagung was Hadratus Shaykh KH Mustaqim bin Husain. He was born in Nawangan village, Keras subdistrict, Kediri district, in 1901M. His father was named Husain bin Abdul Djalil, who was the 18th descendant of *Mbah Panjalu*, Ciamis, West Java (Ali bin Muhammad bin Umar). Since the age of children, he, his father, and mother lived in the city of Tulungagung. He is also a friend of Bung Karno. There is a uniqueness between the friendship of the two

figures, they were both born 1901 and died in the 1970s.

The magic of the great tarekat/*Pesulukan Tarekat Agung* (PETA) is located in Tulungagung, East Java. PETA is located in the center of the city of Tulungagung, precisely 100 meters to the west of the town square in Tulungagung on Jalan Wahid Hasyim No. 27. This tarekat mengajarkan three orders at once, Qadiriyyah tarekat, Qadiriyyah wa Naqsabandiyah tarekat, and Syadziliyyah tarekat.

In 1945, he arrived a grand guest from Pondok Termas, Pacitan district. He was named Kyai Abdur Rozaq bin Abdullah at Turmusy's younger brother from Sheikh Hafidz Mahfudzb at Turmusy and KH Dimiyathi at Turmusy. Kyai Mustaqim got a lesson about tarekat Syadziliyyah and got a message from Kyai Abdur Rozaq, then Kyai Mustaqim practiced it. He developed the tarekat Syadziliyyah in his place which until now has become the center of distribution in Tulungagung.

Syadziliyyah tarekat was well received in Tulungagung, so the teaching activities at *ponpes* PETA changed from silat school to the tarekat Islamic boarding school (*in Indonesia called pondok pesantren/ponpes*). At first, the practice of the tarekat Syadziliyyah was only held on Tuesday night and was attended by 9 people. Long by long more people follow tarekat Syadziliyyah practice, then the practice is done on Friday night at their ownhome.

This tarekat succeed to get a place in the hearts of the community. More and more people are interested in this tarekat. In the beginning, this Islamic boarding house was called *ponpes Kauman*, there was no definite name for this Islamic boarding house. This Islamic boarding house was named PETA after the third *Mu'tamar Jamiyah* in 1963. Previously held the first *Mu'tamar* held in 1957 in Tegalrejo, Magelang. And the second *Mutamar* was held in 1959 in Pekalongan. This Islamic boarding house is named PETA (stands for *PEsulukan Tarekat Agung*) by Kyai Mustaqim which has the meaning of Islamic boarding house that teaches three great tarekat, these are Syadziliyyah tarekat, Qadiriyyah wa Naqsabandiyah tarekat, and Qadiriyyah tarekat. However, the implementation tarekat Syadziliyyah is the most dominant taught at PETA Islamic boarding house.

The name PETA also has meaning as defender of the country. It is evident that the teachings of PETA not only teach spirituality, but since the founding of this Islamic boarding house has been much activity in the field of humanity. But in this PETA there is no signboard that signifies this Islamic boarding

house. This was intentionally done to clean the hearts of the PETA students who adhered to syadziliyyah tarekat. People who come to this Islamic boarding school are pure people who want to learn without expecting status as students in any institution.

In the teachings and practice of the Syadziliyyah tarekat, it is actually not much different from the teachings and practices of other tarekat in Indonesia. All of them teach *amalan* (*name for something must do*) that lead to *amaliyah* worship which is a self-approach to God by multiplying dhikr and prayers.[17]

Kyai Abdul Djalil Mustaqim was born in Tulungagung on June 20, 1943. The son of Shaykh Mustaqim bin Husain is also a *murshid* and a freedom fighter. From childhood, he studied religion with his own father. He studied religion from Islamic boarding school to Islamic boarding school. He ever study at the Islamic boarding school of Mojosari, Loceret Village, Nganjuk-Jatim (1959-1970), then at Ponpes Ploso, Mojo Village, Kediri-East Java. His great determination to study, encouraged him to wander from the Islamic boarding school to Islamic boarding school throughout Java, even though he only stopped by one or two days or two weeks.

And as a Sufi, he is not too concerned with *uzlah* or seclusion to reflect. According to him, practicing tarekat as a Sufi is not just holding *tasbeh* (*a tool for dhikr*), dhikr at the mosque, or doing *zawiyah* / *uzlah* regardless of worldly life and public interest. According to him, praying 5 times with discipline, earning a living honestly, studying seriously, is a life of tarekat. "But remember, lest all of that cause us to forget Allah Almighty There is no prohibition of doing business for tarekat followers Business does not prevent a person from entering heaven because there are millions of ways to God".

Gus Miek from Bandar

K.H. Hamim Jazuli or more familiar called Gus Miek. He is a founding figure of Jamiyah *dzikr and Wirid Dzikrul Ghofilin* and *Semaan al-Quran Jantiko Mantab*. This community now is widespread in parts of Java and has even spread to other regions outside Java. Gus Miek was born on August 17, 1940.

Gus Miek has set up two jamiyah that until now followed by thousands of people. First, the jamiyyah practice of dhikr called *Dzikrul Ghofilin* and the second is seaman Qur'an which is named Jantiko Mantab.[18] The struggle and journey of Gus Miek's life ended on Saturday, June 5, 1993.

The essence of Gus Miek's thinking is *jalan terabas*(means the short way in English).

This thing is used as a way of view/paradigm in seeing and solving problems faced. So it is not surprising that in the teachings of Gus Miek can be read various ways in addressing problems that arise, including the above description of the concept to God to reach His heaven.

The value of the benefits of this concept has been felt by many people which until now Dzikrul Ghofilin reach thousands of people, this is due to the concept offered by Gus Miek right on target and can be followed by people from various community. Through Dzikrul Ghofilin, Gus Miek was able to penetrate the boundaries of the existing tarekat barriers, where the membership of Dzikrul Ghofilin was not limited to treason as in the mutabarah orders in Indonesia. For Gus Miek the followers of Dzikrul Ghofilin may practice Dzikrul Ghofilin *amaliah* even though they have not obtained a diploma because Dzikrul Ghofilin's emphasis is continuity in its practice.[19]

Terabas road as a practical perspective can also be used to look at a problem or provide alternative solutions that are fast and practical in dealing with the problems of living a modern society in a multicultural frame. Thus, the benefits of the concept of the terabas road will be very felt by modern humans in stepping up the steps of their lives both in terms of here after and in this world.

IV. CONCLUSION

Islam in Mataraman is influenced by Sufism. Tariqah has a great influence and role in various spheres of life these are in social, political, cultural and educational that is reflected in the dynamics of the Islamic boarding school world. The world of Islamic boarding school give good development sufism through theory or practice. In practice, the caregivers of the pesantren participate in enlivening the practices of Sufism in the middle of society, for example *zuhud*, *riyadah al-nafs*, *dhikr* and others. This example is exemplified while inviting *santri* (name students in Islamic boarding house) and the surrounding community to come to do the same thing.

Kyai Jampes combines the reasoning of Al-Ghazali Sufism or Sunni Sufism with the locality of the local community. The legacy is the global books and Ihsaniyah Istighasah community which is a forum for reading *dhikr* collectively as well as being a kind of media for consultation and healing to people who are addicted to drugs, stealing, gambling etc. through a method called healing Sufism.

Kyai Mustaqim and Kyai Jalil from Pondok PETA Tulungagung taught 3 tarekat, namely *Syadziliyah tarekat*, *Qadiriyyah wa Naqsabandiyah*

tarekat, and *Qadiriyyah tarekat*. However, the implementation of the tarekat Syadziliyah is the most dominant taught at PETA. As Sufis, practicing tarekat is not just holding *tasbeih*, *dhikr* at the mosque, or doing *zawiyah / uzlah* regardless of worldly life and public interest.

K.H. Hamim Jazuli or more familiar called Gus Miek. He is a founding figure of *Jamiyah amaliyah*, *Wirid Dzikrul*, and *Semaan al-Quran Jantiko Mantab*. The essence of Gus Miek's thinking is terabas road. It is used as a perspective / paradigm in seeing and solving the problems at hand. The value of the benefits of this concept has been felt by many people who until now follow Dzikrul Ghofilin reach thousands of people, this is due to the concept offered by Gus Miek right on target and can be followed by people from various community.

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The Epistemology of Tafsir Ibnu Asyur and its Implications of Determination of *Maqashid al-Quran* in the *al-Tahrir wa al-Tanwir*

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Abstract—This article is an attempt to analyze the epistemology of Ibn 'Asyur interpretation in the *al-Tahrir wa al-Tanwir*. Ibn 'Asyur in his work seeks to combine the advantages of existing interpretation methods with the tendency of linguistic analysis. The next interesting character of his work is that it attempts to interpret the Qur'an using the maqashidi approach which is very rare to be found in the previous works of interpretation book. To know the epistemology of interpretation and its implication, there are two questions to be discussed, 1) how is the epistemology of tafsir Ibn 'Asyur applied and, 2) how is the implication of the arrangement of *maqashid al-Qur'an*. From both of the questions we know that tafsir Ibn 'Asyur method use intertextuality by combining historical and appealing analysis, while its implication is the need to use the istiqlal procedure in the formulation of *maqashid al-Qur'an*, and produces three patterns of formulation of *Maqashid al-Qur'an* ie 'ammah, khasshah, and juzziyah.

Keywords: Epistemology, Tafsir, *Maqashid al-Qur'an*, *al-Tahrir wa al-Tanwir*

I. INTRODUCTION

For Muslims, Qur'an is the ultimate holy book that is revealed to the Prophet Muhammad as the closing of the prophetic generation (*Khatam al-Anbiya*). With the existence of the rule of *shalih li kulli zaman wa makan* among the mufassirin in relation with the functioning of the Qur'an, it creates a conviction that the Qur'an will always be used as a problem solver for the various human problems in every life span. The implication leads to continuity the efforts of scholar of exegeis to contextualize and actualize the interpretation of the text of the Qur'an to solve the ever-dynamic contemporary problems by making the universal principles of the Qur'an as the basic foundation in formulating solutions to various contemporary problems.

Some of contemporary Quranic scholars such as Falzur Rahman argue that the format of the al-

Qur'an is closely related to the socio-historical setting of the Arab community where the Qur'an was revealed. However, it does not mean that the Qur'an is only intended for that historical context, but the Qur'an has universal-ideal moral values that can be applied at any given time. [1] [2]

Regarding the assumption of universalism of moral values in the Qur'an, actually it has been a lot of attention by classical scholars. It can be seen from the existence of two popular rules in the study of the Qur'anic interpretation, namely *al-ibrah bi umum al-lafadz la bi khusush al-sabab*, and *al-ibrah bi khusush al-sabab la bi umum al-lafadz*. However, according to the perspective of contemporary interpretation, the two rules still leave many distinctions, among them: *first*, still limited to semantic studies and less attention to contextualization of the text, *secondly*, making reality subordinate to the literal meaning of the text. So it seem to subdue the contextual side of the Qur'an to eat out of the text. [2]

In a contrast with the classical interpretation, the paradigm compiled in contemporary interpretation tends to its study of textual contextuality, even tends to be considered "liberal" in a certain sense. In contemporary interpretation the interpreter's interpretation always attempts to contextualize the meaning of the text of the verse by taking the universal ideas behind the text and then reinterpreting it with the spirit of his time. [2] For example, the interpretation of multicultural-themed verses, pluralism, heritage, polygamy, slavery and other issues related to social-religious problems in the contemporary era received special attention by modern-contemporary interpreter.

Start from the contemporary interpretation paradigm, the *al-ibrah bi al-maqashidiy*[3][4] began to develop the creative synthesis of the two previously popular rules of classical commentators who were considered contradictory. According to this rule, which should be the guide is what is the

purpose of the Qur'an (*maqashid al-Qur'an*) which is the spirit or basic idea of the texts of the Qur'an, which in the Fazlur Rahman language is called with the moral ideal of the Qur'an. [5] *Maqa>shid* of the text of the Qur'an can be known by referring between the text and the context. [2] Among the implications of contemporary interpretation of the paradigm of interpretation came the study of interpretation patterns oriented to the study of *maqashid* contained in the Qur'an which became popular with "*Tafsir al-Maqashidiy*. [3]

The appearance of *Tafsir al-Maqashidiy* is one of the scholars of modern interpretation of the phenomenon of the limitation of classical tafsir in contextualizing the text of the Qur'an in order to answer the various problems of human life today.[4][6] Using the word *maqashidi* itself indicates that this kind of interpretation pattern is strongly influenced by the concept of *maqashid al-shari'ah* which has been popularized by *ushuliyyin* [6][7]

The existence of this interpretation pattern is the efforts of Muslims in understanding the verses of the Qur'an with regard to the deepest meaning of the verses of the Qur'an including wisdom, because of the law, the purpose and the moral values that can be used as the basis for formulating humanity in his life and solve the problems at all times.[8] Ibn 'Asyur is a modern interpreter character with his monumental work of the *tafsir al-Tahrir wa al-Tanwir* attempting to use the interpretation of *al-maqashidiy* as his interpretation tool which has not been much done by previous interpreters. In the introduction of his interpretation, Ibn 'Asyur asserted the importance of understanding the *maqashid al-Qur'an* before a person was instructed in formulating a proposition from the text of the Qur'an. And understanding and revealing the values of *maqashid al-Qur'an* according to him is the most important task of a *mufasssir*. [10]

Based on Ibn 'Asyur's view, the interpretation made by classical scholars still needs development and refinement. Most of their interpretation methods only collect and convey the opinion of the previous interpreter without any attempt to contextualize the interpretation. So they are confined solely to the partial interpretation of the history and to transcend the meanings of the vast Qur'anic content.

Some of the scientific papers dealing with Ibn 'Asyur's epistemology include: Abdul Halim's article entitled —Kitab Tafsir al-Tahrir wa al-Tanwir Karya Ibnu _Asyur dan Kontribusinya Terhadap Keilmuan Tafsir Kontemporer published in the journal *Syahadah* Vol. II, No. 2, October 2014. This work specifically addresses the epistemology of Ibn 'Asyur and his contributions to the development of the interpretation of this contemporary era. Also a book by Abdul Mustaqim

titled "*Epistemologi Tafsir Kontemporer*," (Yogyakarta: LkiS, 2011). Mani Abd Halim Mahmud, "*Manahij al-Mufasssir*," 1421H / 2000 M, Cairo: Dar al-Kitab al-Mishriy, and Abdul Qadir Muhammad Shalih, *al-Tafsir wa al-Mufasssirun fi al-Asr al-Hadits: Aradh wa Dirasah Mufassalah li Ahammi Kutub al-Tafsir al-Ma'sir*, tt, Beirut: Dar al-Ma'rifah

The works which discuss the concept of *Maqashid al-Quran*, for example the article of Ridwan Jamal al-At{rasy with the title "*al-Jadzur al-Tarikhyyah li al-Tafsir al -Maqa shidiy li al-Qur'an al-Karim* " published in al-Islam Magazine fi Asiya in March 2011. In this article, he explains the historical roots of *Tafsir al-Maqashidiy* his urgency. Although it is discussed about the approach of *maqashidiy* in the interpretation of Ibn 'Asyur, but the discussion is still very short in depth. The rest of the paper is a work written by Raiy binti T al ala Mahbab which is entitled *al-Maqashid al-Syari 'ah fi al-Qur'an al-Karim wa Istinbat {ma Warada minha fi Surataiy al-Fa>tihah wa al-Baqarah*. "In his work he explained the concept of *maqa>shid al-syari'ah* and his urgency in the process of establishing the laws of the Qur'an and the objects of His research is surah al-Fatihah and al-Baqarah. But in this work does not specifically study Ibn'Asyur's thought and its interpretation of the text of the Qur'an and its discussion related to *Maqashid al-Quran*. Furthermore, the book of Ismail al-Hasaniy

"*Nazariyyah al-Maqashid inda al-Imam Muhammad al-Thahir ibn 'Asyur*" printed by al-Mahad al-Fikr al-Islami in 1995. He explains about the concept of *maqashid al-syari'ah* according to Ibn'Ayur and a little to discuss his application in his tafsir. From some of these studies, as far as the writer knows, there has been no specific discussion of the epistemology of interpretation and its implications on the setting of *Maqashid al-Quran* in the interpretation of Ibn 'Asyur. This article intends to fill this emptiness.

II. METHOD

This research is a library research with descriptive analytical method. To clarify the concept of the method above, the writer will explain in detail as follows:

A. Research Model.

This research used purely library research, the researcher focuses the research on primary and secondary data through library study. While the object of the study is the epistemology of Ibn 'Asyur's interpretation in the work of his interpretation of *al-Tahrir wa al-Tanwir* and its implications on *Maqashid al-Quran* in his interpretation.

B. Approach

The approach of this research is the mindset used by the author to discuss a problem. The approach model used in this study is Philosophical-Hermeneutic approach. With this philosophical approach, the author sought to find the fundamental structure of the thought.

C. Data Source

The data sources used by the author in the process of research include two categories:

First, Primary Data Source; is the main source of the object being studied in the research process. The data classified in this category are the main works of Ibn 'Asyur which are the object of the study, the work of his tafsir titled *al-Tahrir al-Tanwir*, published in Tunisia by *al-Dar al-Tunisiyyah* publisher.

Second, Secondary Data Sources; the data used to support the assist in studying and digging sources of primary data. In addition the data is also used by the author as a comparison of the data that has been investigated. This data is tracked from various literatures which relevant to the material being studied.

D. Data Collection Techniques.

In the data collection techniques, there are three steps that the authors do: first, collecting all the data obtained, secondly, selecting the data obtained by the source, and third, clarifying data based on a category of discussion that has been integrated in the study.

E. Data Analysis Method.

Method used in this study is descriptive-analytical methods with the following steps: *first*, authors read primary data. *Secondly*, these data are evaluated in depth by comparing them with existing secondary data to find a comprehensive conclusion. *Third*, the writer makes conclusion.

RESULT

A. Ibn 'Asyur and his Tafsir Works

Biography of Ibn 'Asyur

Ibn 'Asyur is a name attributed to Muhammad Ibn 'Asyur ie the ancestors of Ibn 'Asyur from Andalusia. In 1060H, he migrated and settled in Tunisia because of the attack of the crusaders to his home in Andalusia. While the original name of Ibn 'Asyur is Muhammad al-T{a}hir bin Muhammad bin Muhammad Ta{a}hir bin Muhammad Syadzaliy. He was born in the village of Mursi, northern Tunisia in 1879 M / 1296H and died in *Rajab* 1393H / 1973M, and buried in the funeral of al-Zalaj, Tunisia. [11]

Muhammad, the father of Ibn 'Asyur, was an important official in the Tunisian government. His

mother, Fatimah, was the daughter of Tunisian Prime Minister Syeikh Muhammad bin Aziz al-Buatur. Both come from families who are very respectful of the world of education. So they leave the love of science to Ibn 'Asyur and make him a great Islamic scholar in the future.

Ibn'Ayur's love of science, it has been seen since he was a child. Since he was six years old, he has been studying and memorizing various sciences related to the study of the Qur'an such as tajwid, qiraat, and others. In addition to learning Arabic, he also learned French to Sayyid Ahmad bin Wannas al-Mahmu>diy.

His academic journey increased directly when he started entering the university of Zaitunah at the age of 14 years. University of Zaitunah itself was originally a mosque which later became the center of the era of being the center of Islamic propaganda affiliated with the Maliki madzab and some of the Hanafi madzabs. The university is considered to have an accreditation equivalent to the al-Azhar university located in Egypt. At this university, Ibn'Ayur took seven years in his struggle to acquire knowledge from a number of Tunisian great scholars. Finally, on the 4th *Rabiul Awwal* 1317H / 11 July 1899M, Ibn 'Asyur successfully completed his education at the university was proven by grabbing *syahadah al-Tathwi*. [12]

During his studies at the University of Zaitunah, Ibn'Ayur met and learned knowledge of some of Tunisia's major scholars, including:

Sheikh Abd Al-Qadir al-Taimimy, from him Ibn 'Asyur studied the study of ulum al-Qur'an
Sheikh Muhammad al-Nakhlly, who teaches the arabic sciences of al-Arabiyyah and its branches.

Sheikh Muhammad, who teaches various nahwu science, and fiqh from him.

Sheikh Muhammad al-Najar, who teaches various sciences about kalam (theology) and studies of the sciences of hadith.

Sheikh Muhammad Jafar, who taught Ushul fiqh and Sirah Nabawiyah to Ibn 'Asyur.

Besides his activities in various academic at the University of Zaitunah, Ibn'Ayur was also gaining knowledge at a number of academic quarters outside his campus. This is evident from some scholarships obtained from the following scholars: [11]

Sheikh Muhammad al-Aziz Bu'atur, a teacher and grandfather of Ibn'Asur, had given a certificate of sanad to him in Jumadil Awwal in 1321H.

Sheikh Mahmud bin al-Khaujah (Benhohjah)

Shaykh Salim Buhajib (Bouhajib)

Sheikh Amr bin al-Sheikh

Because of their guidance of his teachers and supported by his high spirit, Ibn 'Asyur was a great scholar in Tunisia who was believed to

be the professor at the university that raised him. He has also succeeded in molding his pupils into great scholars, among others: Sheikh Abd al-H (in the middle who studied literacy, and Arabic from him, and Muhammad al-Fadl ibn Asyur who inherited the interpretation of knowledge.

Ibn 'Asyur served as a *qadi* (judge) of the Maliki sect in Tunisia in 1913 and was appointed mufti leader in 1927. He was also elected to a member of *Majma al-Lughah al-Arabiyyah in Egypt* and Damascus in 1950 was also a member of *Majma al-Ilmi al-Arabiyy* in Damascus in 1955. [13]

Ibn 'Asyur has a very important role in the movement of nationalism in Tunisia. It lived during the time with the great cleric of Tunisia who became *Masyikhah al-Azhar* (High Priest al-Azhar) named Muhammad al-Khidr Husein al-Tunisiy. Both of them are friends who have large of knowledge, have a high quality of faith, and have been jailed for defending their principles and ideology so that they must deal with the severe torture of fighting for national, state and religious independence. Ultimately, thanks to the firmness and fortitude of both of them, God's help came to bring them to the highest glory and position among the scholars. Muhammad al-Khidr was destined by God to be the Egyptian mufti, while Ibn'Asur became the Great Sheikh of Islam (*masyikhah al-Islam*) in Tunisia. [14]

Ibn Asyur always uses and develops his potential in his life. This potential is channeled to positive and beneficial activities for the people in developing the teaching of Islam in the community. Ibn Asyur was engaged and devoted himself to *Jamiah al-Zaitunah*. [11]

During his life, Ibn 'Asyur was very productive in producing various papers, including: *Maqashid al-Syariah al-Islamiyyah*, *Kasyfu al-Mutha min al-Maaniy wa al-Alfadz al-Waqiah fi al-Muwat'a*, *al-Nazhru al-Fasih Inada Madhayiq al-Anzhar fi al-Jami asl-Shalih*, *Ushul al-Nizham al-Ijtimal fi al-Islam*, *Alaisa al-Subhu bi Qarib and al-Tahrir wa al-Tanwir* being studied in this article. [11]

In addition to the books of Ibn Asyur many writing papers, among them are: *Nasab al-Rasul Saw.*, *Al-Syama'il al-Muhammadiyah*, *Al-Maqshad al-Azhim min al-Hijra*, *Al-Rasul Saw. wa al-Irsad*, *Wufud al-Arab fiy Al-Hadharah al-Nabawiyah*, *Iradh al-Rasul Saw. An al-Ihtimam bi Tanawul al-Thaam*, *Rasullillah Saw*, *Al-Khafiyah Al-Khafiyah lil Hadharah al-Muhammadiyah*, *Mukha al-Ummiyah*, *Tahqiq Riwayah al-Farbariy li Shahih Muslim*, *Al-Farbariy wa Riwayah al-Shahihain*. [12]

Description of the Book *al-Tahrir wa al-Tanwir*

a) Name and Background of Writing.

In the introduction to the interpretation, Ibn 'Asyur mentions the name of his work with the name "*Tahrir al-Ma'na al-Sadid wa Tanwir al-Aql al-Jadid min Tafsir al-Kitab al-Majid*". From that name, it is concise to "*al-Tahrir wa al-Tanwir min al-Tafsir*" which became known as "*Tafsir al-Tahrir*" [10] However, the book is often called "*Tafsir Ibnu 'Asyur*" the purpose was to make intention to the name of the author.

If we search more, based on the original name of the book which means "*An Exemplar of the Right Meaning and Renewal in Enlightenment to the Interpretation of the Noble Qur'anic Book*" we can identify there are two major missions being done by Ibn 'Asyur in his work of interpretation, that is trying to reveal the proper meanings stored in the text of the Qur'an as well as offer renewal and enlightenment to the paradigm of understanding the Muslims against the Qur'an.

Both Ibn 'Asyur's mission in his interpretation have been seen from his confession at the beginning of the writing of the work. He states emphatically that his interpretation of his work as an attempt for his *ijtihad* against the interpretation of the Qur'an is not merely a matter of sermon and not to the previous interpretation. [10] His renewal efforts, can be seen from his obsession in offering new ideas of interpretation of the Qur'an particularly related to the *maqashid* contained in the texts of the Qur'an which are still very rare found in the previous work of interpretation. [14]

The text of the book *al-Tahrir wa al-Tanwir* as the object of this research is the manuscript which published by the publisher of *al-Tunis al-Nasir al-Nasyr* in a complete 30 juz with a presentation of 21 volumes so each volumes more than one juz. His printing process was processed three times, first in Tunisia (1956) in the form of juz Amma, then continued in Cairo in 1965, last reprinted in Tunis in 1968. This book is a complete interpretation of 30 juz with a period of writing for approximately 39 years. This writing began when Ibn 'Ayur was appointed from *qadi's* position to a mufti in Tunisia (1341H / 1923M). [14] [11]

In his introduction it is explained that Ibn 'Ayur longed to write a work of interpretation of the Qur'an that is oriented on the guidance to the Muslim community to achieve the happiness and glory of the hereafter by explaining the truth both from the legal content and the al-Qur'an and al-Qur'an discussing the opinions of scholars with regard to previous interpretations of the Qur'an.

At first he felt pessimistic inadequate and unable to do it. But the desire increase in all day, the rebuild is stronger so that with the support of his companions, Ibn 'Asyur is determined to begin writing his *tafsir* while asking God to survive any errors in the interpretation process. After taking

about 39 years (1341H-1380H), finally Ibn 'Asyur completed his work successfully. [15]

b) *Characteristics and Systematics of the Book*

The al-Tahri tafseer book of al-Tawiq has characteristics that differentiate with the previous works of tafseer. This book begins with the introduction of the interpretation (*muqaddimah tafsir*) which contains the vision of his mission in the interpretation and various discussions on issues related to the science of the Qur'an and the interpretation. Gamma al-Banna states that *muqaddimah* in the work of Ibn 'Asyur's interpretation is the best part that distinguishes it from other tafseer works. He even asserted that *Muqaddimah* interpreted the book of Ibn 'Ash'ir as the introduction of history in the book of al-Muqaddimah by ibn Khaldun. [16]

An introduction of al-Tahri r wa al-Tanwi r tafseer has ten articles of discussion:

The Article about the definition of science and interpretation, as well as the position of tafseer as a discipline.

The article about the discussion of kinds of media aids (*istimdad*) in study of interpretation
The Article about the validity of the form of interpretation without passing the transmission (*tafsir bi al-Matsur*) and the understanding of interpretation based on reasoning (*tafsir bi al-ra'yi*)

The Article about the explanation of the mission and vision of a mufassir.

The article about the explanation of the socio-historical context of the Qur'an (*asbab al-nuzul*)

The Article about the diversity of reading versions of the Qur'an (qiraat al-Qur'an)

the Article about the form of narratives in the Qur'an (Qashash al-Qur'an)

the Article about the discussion of names, number of verses and letters, and the systematics and names of the Qur'an.

The Article about the various meanings contained in the lafadz-lafadz of the Qur'an.

Article about the explanation of Ijaz al-Qur'an

As for the systematic interpretation of Ibn 'Asyur's interpretation can be detailed as follows:

First, do the process of interpretation based on the order of ustmani that is preceded by surah al-fatihah and terminated surah al-Nas. *Secondly*, in every beginning of the interpretation of the *surah*, in advance Ibn 'Asyur explains the descriptions related to the sura naming and the underlying argument. *Third*, still at the beginning of the interpretation of the *surah*, he also explains the sequence of surah and socio-historical sequences associated with the sura (*asbab al-nuzul fi surah*). While the historical setting associated with his verses (*asbab al-nuzul fi ayah*) is presented when

the process of interpretation of the corresponding verse goes. *Fourth*, it further explains the relevant information regarding the categorization of the *surah* (*makkiyah* or *madaniyah*) along with the number of verses contained therein. *Fifth*, at the end of his interpretation of a verse or *surah*, he tried to give a conclusion about the meaning of the mean

3) *Ibnu 'Asyur's Reference Resources Interpretation*

Basically, Ibn 'Asyur's source of interpretation comes from two main sources, namely, naqliyyah and aqliyyah based on analysis. The second source in the form of reasoning on the text of the Qur'an tends to be done with a maqashidiy-based linguistic approach. This will be explained later. While its sources of extraction, can be tracked from a number of books with various disciplines covering it, including:

The source of the book of tafseer,

Among them: *al-Kasyaf an Haqaiq al-Tanzil wa Uyun al-Aqawil fi wujuh al-Tawil* by Abu Qasim al-Zamakhshariy al-Khawarizmiy (537H); *Al-Muharrir al-Wajiz fi Tafsir al-Kitab al-Aziz* by Abu Muhammad Abd al-Haq bin atiyah al-Andalusiy (542H); *Mafatih al-Ghaib* by Abu Abdillāh bin Amr bin Husain bin Ali al-Raziyy (727H) who is famous for the title "*Fakhruddin*"; *Ruh al-Ma'aniy fi Tafsir al-Quran al-Adzim wa al-Sabiy al-Matsaniy* by Syihabuddin al-Sayid Mahmud al-Alusiy (1270H); *Al-Kasyf wa Bayan fi Tafsir al-Quran* the work of Abu Ishaq Ah {mad bin Ibrahim al-Tsalabiy al-Naisaburiy (724H); *Nur al-Tanzil wa Asrar al-Tawil* by Abdullah bin Muhammad bin Ali al-Baid {awiy (691H); *al-Jami al-Bayan fi Tafsir al-Quran* by Muhammad bin Jarir al-Tabariy (310H); *Durrah al-Tanzil al-Mansub* by al-Raziyy and al-Raghib al-Ashfahaniy; *Ahkam al-Quran* by Abu Bakr Ahmad bin Ali al-Jassash; *Tafsir al-Quran al-Adzim* by Imaduddin Abu al-Fida Isma'il bin Umar bin Katsir (774H); and *Tafsir al-Quran al-Hakim* or known as "*Tafsir al-Manar*" by Shaykh Muhammad Rasyid Ridha (1953H).

Source from the book ulum al-Qur'an and hadith

Among others: *al-Itqan fi Ulum al-Quran* by Imam Jalaluddin al-Syuyut{iy; *Al-Burhan fi Ulum al-Quran* by Badruddin Muhammad bin Abdullah al-Zarkasyi (794H); *Asbab al-Nuzul li al-Wahidiy* by Sheikh Ali bin Ahmad Abu Hasan al-Wahidiy (468H); *al-Jami Shahih al-Bukhariy* by Muhammad bin Isma'ol al-Bukhariy (256H); *Shahih Muslim* by Imam Muslim bin al-Hajjaj al-Qusyairiy al-Naisaburiy (261H); *Sunan abu Dawud* by Imam Sulaiman bin al-Asymakh al-Sijistaniy (275H); *Sunan al-Tirmidziy* by Muhammad bin Isa al-Tirmidziy (275H); *Sunan al-Nasai* the works of Abu Abdurrahman Ahmad bin Syu'aib (302H); *Al-*

Muwata by Imam Abu Abdillah Malik bin Anas (179H); *al-Musnad* by Abu Abdillah Ahmad bin Hanbal (241H); *Fath al-Bari fi Syarh Shahih {al-Bukha>riy* by Ibn Hajar

Reference source from the jurisprudence book

Among them: *Basha"ir Dawi al-Tamyiz* karya Majduddin Muhammad bin Ya'qub (817H); *Al-Muhalla* by Ali bin Ahmad bin Sa'id bin Hazm al-Zahiri (456H); *Majmu' Rasail wa al-Masail* by ibn Taimiyah (728H); *al-Muwafaqat fi Ushul al-Fiqh* by Imam al-Syat'ibiy (790H); *al-Kulliyat* by Abu al-Baq'a' al-Kufawiy Ayyub bin Musa al-Qaramiy (1093H); *al-Syarh wa al-Taujih wa al-Ta"lil fi Masa'il al-Mustakhray* by Syekh Muhammad al-Utba' (225H).

Reference source from language book

Among them: *Mufradat Gharib al-Qur'an* by Syekh Raghib al-Ashbahani (502H); *Lisan al-Arab* by Abu al-Tadhil Jamaluddin bin Manzur al-Mishriy (711H); *Al-Qamus al-Muhid* by Abu al-Tahir bin Ya'qub al-Fairuz (817H); *Al-Maqamat* by Abu Muhammad al-Qasim bin Ali bin Muhammad bin Utsman al-Hariri al-Bishriy (516H); *Gharib al-Hadits* by Imam Abu Ubaid al-Qasim bin Sala'm (287H); *Mu"jam Maqayis al-Lughah* by Muwafiquddin Abu al-Abbas (680H); *Taj al-Uru>sy* by Sayyid Muhammad Murt'ada al-Zubaidiy famous with Abu al-Faid (1205H).

References from Balaghah Book

Among others: *al-Bayan wa al-Tabyin* by Abu Utsman Amr bin Bahr al-jahiz (255H); *I"jaz al-Qur'a>n* by Syekh Muhammad bin Tayyib bin Muhammad Abu Bakr al-Baqilaniy (403H); *Talkhish al-Miftah* by Abu Abdillah Muhammad bin Abdurrahman al-Khatib al-Qazwiniy (739H); *Asrar al-Bala>ghah wa Dalail al-I"jaz* by Abd al-Qa>hir bin Abdurrahman al-Jurjaniy (471H); *Asas al-Balaghah dan al-kalam al-Nawabigh* by Syekh Mahmud bin Umar al-Zamakhsyariy (538H); *Sirr al-Fashahah* by Ibn Sina>n al-Khafajiy al-Halbiy (466H).

Reference source for Kitab Tasyawuf

Among others: *Ih'ya" Ulum al-Din, al-Mustazhariy, and al-Mustashfa" fi Ilm al-Ushul* bin Hujjatul Islam Imam al-Ghazaliy (505H); *Aqwal al-Hasan al-Bashriy* by Syekh Said al-Hasan al-Bashriy (110H); *al-Futuhat al-Makiyyah* by Syekh Muhyiddin bin Arabiy (638H); *Hikmah al-Isyraq* by Syekh Syihabuddin al-Syahrwardiy (588H).

Reference Source of Philosophy

Ie al-Isyarat by Syekh Abu Ali Husain bin Sina or Ibnu Sina (428H); *Fashl al-Maqal fi ma baina al-Syari"ah wa al-H'ikmah* by Ibnu Rusyd (520H);

Aqwal Suqarat wa Aflatun is a collection of philosophy from Sokrates and Plato.

Reference From The Historical And Biographical Book of the Figures

Among them: *Jumhurah Ansab al-Arabiy* by Syekh Abu Muhammad Ali bin Ahmad bin Hazm al-Zahiri (456H); *Mu"jam al-Adba"* by Syekh Abu Abdillah Yaqt bin Abdillah al-Rummiy al-Hamawiy (621H); *al-Isha>bah fi Ma"rifah al-Shahabah* by Ibnu Hajar al-Ashqalaniy; *al-Syifa" fi Fadha'il al-Mushtafa* by Syekh al-Qadiy Iyad (544H); *Al-Anwar al-Nubuwwah fi Aba>" Khair al-Basyariyyah* by Syekh Muhammad al-Mursi al-Andalusiy (3013H); *Tazkirah al-Huffaz* by Abu Abdilla>h Syamsuddin al-Dzahabi (784H); *al-Milal wa al-Nihal* by Umar bin Abdul Karim al-Syahrasiy (548H).

B. Interpretation Method Ibn 'Asyur

Intertextual Method of Interpretation Ibn 'Asyur

In an effort to understand and interpret the verses of the Qur'an, Ibn 'Asyur has a concept of combining tradition-based methods of worship with a linguistic analysis-based method of cruelty. Ibn 'Asyur's analysis of the ritual was used as the initial procedure of Ibn 'Asyur's interpretation in his attempt to extract information related to historical verses and classic mufassir discussions of the interpreted verse.

The analysis of his work, Ibn 'Asyur uses intertextualism (interpretation based on text comparisons), covering the interpretation of the Qur'an with Qur'an and the Prophet / hadith / sunnah, and the opinion of the scholars, and the Bible. This pattern is used to obtain authentic information related to the basic interpretation of a verse. This intertextual method is applied in an effort to compare the following text sources:

a) Model Interpretation via the Qur'an

In the perspective of Ibn 'Asyur, the substance of the verses of the Qur'an is complementary to one another. The correlation between the verses can be in the form of *amm-khash*, *mutlaq-muqayyad*, *nasikh-mansukh*, and so forth. Therefore, Ibn 'Asyur asserted the relationship between the verses in the Qur'an (*munasabah*) is something that must be considered for *mufassir*.

An example of his interpretation of the Qur'anic text is among the negative attitudes of the infidels towards the propaganda of the Prophet Muhammad (PBUH) by considering him as a madman for claiming to receive revelation from Allah (QS Hijr: 6). Then God strengthened the heart of the Prophet at the same time denied the allegations by claiming that the Prophet Muhammad was not a mentally ill, but he was a Prophet who received a great gift from

his Lord in the form of a revelation of the Qur'an (QS Al-Qalam: 2).

Another example, in its interpretation pattern of the word "*al-qulub*" in QS. Al-Mutaffifin: 14. In the verse, the word "*al-qulub*" according to Ibn 'Asyur does not mean heart but the potential of a person's knowledge. This interpretation is based on his analysis of the word "*al-qulub*" in QS. Al-Baqarah: 7, which shows their closeness to the truth brought by the Prophet Muhammad. The two verses in Ibn 'Asyur's view have the same correlation as to the meaning and the object (*khitab*) of the Qur'anic text.

b) Interpretation Model Via Sunnah / Hadith

The position of the Prophet as the single receiver of the Qur'anic revelation, of course, is more aware of the means and contents of the Qur'an than others. In the view of Ibn 'Asyur, the role of the Prophet saw as the author of the revelation of the Qur'an as well as the early interpreter has an important position in revealing the meanings in the Qur'an. For example his interpretation in the QS. An'am: 59 about the secrets of the occult keys there is only God. Based on information from the Prophet through the history of Ibn Umar r.a. the meaning of the supernatural in the verse is the *first*, the secret of the Day of Judgment; *second*, the secret of the day of resurrection; *third*, secret state of the child in the womb of his mother; *fourth*, the secret of one's destiny, and the *fifth*, the secret of death.

Model interpersonal via analysis of historical

Ibn 'Asyur has considerable attention to the role of the *asbab al-nuzul* in its interpretation efforts. In the introduction of his interpretation, he specifically presents the discussion related to the existence of the *asbab al-nuzul* and his urgency as auxiliary media in digging the objective meaning of a text. Through historical study, the interpreter can know the originality of the meaning contained in the verse. This is because the information received in relation to the historical context of the verse comes from informants who are directly involved with the fall of the Qur'an. However, Ibn 'Asyur states that there should be a critical attitude to the validity status of information in the narrative of *asbab al-nuzul*.

For example, based on the study of QS. Al-Baqarah: 26, Ibn 'Asyur explains that the verse is still related to the attitude of the infidels who had previously denied the parables of *zubab* (fly) and the magic of the spider which Allah conveyed in His book. They consider it all confusing and far from common sense. Then God denied the assumption by lowering the verse in which it explicitly states that God is the owner of everything

and is entitled to make a parable with anything to convey the truth to mankind. [10]

Furthermore, Ibn 'Asyur explains in relation to the historical study of the above verse. Based on historical information, the verse was revealed as a criticism of the infidels of Makkah with the Jews of Medina for their cooperation in hindering the Prophet's propaganda. Through these verses, God affirmed their inclination to be a manifest manifest error of theirs. [10]

Model of Interpretation Through Study of Al-Quran Narration

In the introduction of his interpretation, Ibn 'Asyur explains the narrative in the Qur'an to embrace one of the methods of al-Qur'an education in building humanity. Ibn 'Asyur added that the narratives conveyed in the Qur'an are not merely historical information, but contain many moral ethics as well as learning to human beings today.

Such an explanation relates to the story of Moses in the QS. Al-Qashash: 13. The verse is said about the return of Prophet Moses as a baby to his mother's lap after his mother had washed away the Nile to save him from Pharaoh's cruelty. In the perspective of interpretation Ibn 'Asyur, the verse contains several messages to mankind, among others: [10]

First, the message of godliness (oneness of God), where God is the only ruler over anything in this world including authority over the affairs of Fir'aun and his followers. Although Fir'aun's political plans and tactics were so perfect to subjugate the Egyptians, they were more than anything else they did.

Second, the moral value of social piety, which is not permitted to remove the potential damage in the community by making greater damage. The Fir'aun's actions killed all Egyptian baby boys for fear of the destruction of his power, and then he was prevented by greater damage by mass murder.

Third, motivate messages to always be in the process of struggle in upholding the truth. In the stage of the struggle of Prophet Musa as mentioned in the Qur'an does not spontaneously succeed, but through various processes of struggle in it. Therefore, supposed abandonment in the process of struggle must be instilled on the current Muslims.

Model Interpretation Via Qiraat Study

Examples of interpretation in QS. al-Takwir: 24. Ibn 'Asyur explains in relation to the reading variation in lafadz نَبِضٌ in the verse with the following explanation:

"The Qurra has different in its reading. Nafi, Ibn Amir, Ashim, H{amzah, Abu Jafar, Khalaf and Rauh from Yaqub read it with Dad al-Saqit{ah (makhroj letter out of the edges oral in contact with molars) and this is a qiraat that

corresponds to rasm mushaf al-Imam. While al-Yaqut read it with the "Za al-Musya" reading, the machroj that comes out of the tongue and front teeth. And it is mentioned in al-Kasasyaf that the Prophet saw read it with the reading of both. So there is no need to dispute about the two kinds of reading above because both are based on the mutawatir history of the Holy Prophet. "[10]

Whereas the implication of the variant of the reading with the resulting meaning, Ibn'Asur explains:

The meaning of "Danin" (□□□□) with "Dad al-Saqitjah" is al-Bakhl the person who does not want to give what he has. Printed from the basic word al-Dannu (□□□□) is read with Dad, if it is related to the above verse it means "not your companion (Prophet Muhammad SAW) is a ghost with what is revealed to him, and he does not preach the supernatural things for just seeking profit with what he tells and seeking damages for the news he tells you. While the meaning of "Zanin" (□□□□) with Za al-Musya contains maful meaning printed from masdar "al-Zann" (□□□□) meaning al-tuhmah (accusation) (accused). It means that the Prophet saw as the accused had done a lie in conveying the supernatural things. [10]

Interpretation Model Via Bible

The search of data from the Book of Bibel used Ibn'Asyur to find out the direct information of Israel from Nashrani-Jewish scripture. As in the interpretation of the slaughtering of the cows (QS Al-Baqarah: 67), Ibn 'Asyur explains that the story is contained in the Torah in the Book of al-Safar (travel) part 4 which is about the second Tasyri Travel (Tatsniyah) al-Ishlah {to 21 ie:

"When a murdered person was found unknown to the killer in the nearest village of the killing. The elders of the village came out and soon they pulled out the female cows that had never been used for plowing, and had never been complained, then they took him in a wadi that kept the water that had never been eaten. They cut the neck of the cow there ... they say our hands have never drained this blood, and also our eyes have never seen this bloodshed, then they cover the blood. "[10]

Also on the story of the Prophet Zakariya and Maryam in the above verse, Ibn 'Asyur said: *Zakariya is actually the name of a shamans of the Children of Israel. He came from clan of Abiya> bin Ba>kir bin Bunyamin, one of the Jews. After an old age, he was appointed Prophet of God by the name of Zakariya and became one of the ranks of the prophets of Israel. Zakariya married to the female descendant of Prophet Harun named Yasha*

and his relatives Maryam as mentioned in the Gospel of Luke: "She is Mary's sister, she is indeed a Maryam's aunt, or a relative of Maryam's mother. And when Maryam was born, her father died and about her caregiver became a dispute among the Israel People. With their greed they fought to be foster parents from Maryam. Then there was a voting and won by Zakariya. "[10]

Logical Analysis Method

According to Ibn 'Asyur, in an effort to interpret the Qur'an an interpreter can not suffice from the narrative of an-sich, but must also undergo a rational analysis to comprehend the Qur'an comprehensively. While there are three procedures that can be taken in the analysis of the text of the Qur'an, namely: *First*, make up with the textual meaning of the Qur'an. With the linguistik analysis a mufassir seeks to grasp the meaning of a text of the Qur'an. *Second*, it attempts to explore the text of the Qur'an into branches of religious disciplines, such as akidah, fiqh, akhlak and others. *Third*, making scientific science tools (science) as a medium of tafseer to dig the purpose of wisdom (maqashid) of the Qur'anic text. [15]

Furthermore, the three analysis procedures are applied through three forms of analysis, namely: first, linguistic analysis includes three instruments:

analysis with classical Arabic poems, b) Analysis with language grammatics rules which include: al-alfa>d {and al-irab; c) Analysis of the Balaghah side of the Qur'an. Secondly, the analysis of Islamic law in the Qur'an through a comparative study of fiqh and ushul fiqh. Third, analysis of the text of the Qur'anic text through interdisciplinary scholarship.

Analysis Based on Linguistic.

Indeed the Qur'an is an Arabic-speaking kalam, so the Arabic rules are the medium for understanding its meaning. And without such media then for someone who is not from the Arabs will potentially fall into the abyss and bad of understanding it. whereas what we mean by Arabic rules which is compiled in the Arabic language sciences ie *matan al-lughah, al-tashrif, al-nahwu, al-maa ni, al-bayan*, following their own language or dialect in their sermons and poems and their eloquent language structure. [10]

Poetry

Ibn 'Asyur made a part of the media to assist in interpretation in his interpretation of the text of the Qur'an, especially the words that were gharib. Among the poems referenced Ibn 'Asyur, the poetry of al-Harits bin Haljah, al-Nabighah, Ghawiy bin Zalam or Abbas bin Mirdas. like the

example when Ibn 'Asyur interpreted the meaning of "Rabbi" in the QS. al-Fatihah [10]

Arab grammar analysis (alfadz-I'rab)

From the interpretation of Ibn 'Asyur to QS. Al-Baqarah: 2, begins to explain the basic meaning of the word "al-raib" ie *al-syak* (doubt). From the analysis of this basic meaning then he explains how one's intuition when doubts subsided him to anxiety made him to be a skipt. At the end of his analysis, he distinguishes the meaning stored in the word *ra>ba* and *araba* (with additional *hamza*). The second word is lighter than the first word because it only means to bring one towards the doubt, while the first word (*raba*) means making doubts in one's heart [10]

Balaghah analysis

As interpretation in QS. Al-Baqarah: 266, Ibn 'Asyur explains in terms of this verse that it contains the perfection of allegiance (*al-tasybih*) to show a great loss to those who spend their wealth for *riya*, and to boast about giving it to others, and hurt people. [10]

Legal analysis based on fiqh.

In interpreting one sentence of law, Ibn 'Asyur conveyed many opinions of the *fuqaha* and *aimmah al-mazahib* by strengthening the history of the hadith of the Prophet, *atsar sahabat* and *tabiin*.

Ibn 'Asyur does not judge the opinion of the *fuqaha*, but he tries to do comparisons among others: Firstly, Opinions among *aimmah al-Mazahib* such as Abu Hanifah, Malik and al-Syafii. Secondly, Opinion between Imam Mazhab and *fuqaha* in certain areas such as Abu Hanifah with Laits bin Saad. Thirdly, Opinion between two schools is contrary to Malikiyah and Syafiiyah. Fourth, the opinion of Imam Mazhab with the *fuqaha* of the *tabiin*

Interdisciplinary-Based Analysis.

Furthermore, Ibn 'Asyur states that the relation of science with al-quran has four relations: [10]

Firstly, science contains information which are contained in the Qur'an as the story of the Prophet and the previous people, as well as ethical education, jurisprudence, creed, and the basics of arabic and balaghah.

Secondly, the science can help to increase the understanding of mufassir in the effort of interpreting the text of the Qur'an such as science, and knowledge.

Third, the science that shows the signals of its existence in al-qur'an such as earth science, medicine, and semantic

Fourth, the science that has no direct relation with the Qur'an exists because it is nullified as a prediction science there is also because it is not known in the Qur'an like the science of *al-'Arudh*

One of the means of interpretation Ibn'Ayur used in the process of interpretation based on his reasoning was the analysis of the philosophy of knowledge and humaniora at a certain level as he had stated in the introduction of his fourth interpretation. [10]

Implications in the Determination of Maqashid of the Qur'an

1) Istiqra Prosedur by Ibnu 'Asyur

Istiqra is etymologically meaning "collecting or combining." While terminology indicates an inductive legal process of identification starting from the characteristics of separate units (*juziyyah*) leads to a comprehensive conclusion (*kulliyah*). [17]

Based on the method of interpretation taken by Ibn 'Asyur, the procedure applied in digging the meaning of the Qur'an tends to use *istiqra* / inductive patterns. [8] With this procedure, Ibn 'Asyur began the analysis of the verses independently, then analyzed in assemblies in one sura. And after interpreting the entire verse and surah later, Ibn 'Asyur concluded comprehensively related to *maqashid al-Qur'an* contained in each sura.

Maqashid al-Qur'an in Perspective of Ibn 'Asyur

Implication of the procedure applied above, Ibn 'Asyur divides the purpose (*maqashid*) of the Qur'an into three levels, namely:

First, *Maqashid al-Qur'an Ammah* is the purpose of the Qur'an relating to the maintenance of the social order of human life in general, such as upholding the principle of egalitarianism and the basic rights of every human being as well as the rejection of any form of corrupt life. These objectives are: 1) individual improvement (*al-shalah al-fardiy*), 2) improvement of social society (*al-shalah al-jama'iy*), 3) .

Secondly, *Maqashid al-Qur'an Khashshah*, is an effort to uphold the good and benefits of human beings in all their particularistic actions as well as the wisdom contained in the text of the Qur'an in general, covering eight purposes: 1) *Ishlah al-itiqad wa tali m al-aqd al-shahih* reforming belief and teaching towards the true faith. 2) *Tahdzib al-akhlaq* namely the teaching and the guidance to the noble character. 3) *Al-tasyri* "ala al-ahkam kha>shshah wa „ammah is the determination of both specific and general laws. 4) *Siyasah al-ummah* The purpose of building the political well-being of Muslims. 5) *Al-Qashshah wa akhbar al-umam al-salaf* that make learning about the stories of the previous people. 6) *Al-Ta'lim bi ma>yunasib halah „ashr al-mukhathibin,,* which teaches the things that are in accordance with the conditions of the person being talked to. 7) *Al-*

Muwaidz wa al-ndar wa al-tahdir wa al-tabsyir, which contains a collection of advice and warnings and glad tidings. 8) *Al-Ijaz bi al-Qur'an* that is to show the dimensions of the communion in the Qur'an itself.

Thirdly, *Maqashid al-Qur'an al-Juzziyah* is part of the wisdom or secrets stored in the legal units contained in the text of the Qur'an, such as the wisdom of ablution, prayer, pilgrimage, and so forth.

If we further explore, basically epistemology of interpretation that Ibn 'Asyur applied in his book is an attempt to develop and refine the weaknesses of epistemology of the existing tafseer. In his work he tried to offer a new methodology by combining historical methods with an on-line analysis. The roles in the eyes of Ibn 'Asyur have an important position in the development of the meaning of the Qur'an and his contextualization in the modern era.

The *istiqla*'s procedure applied by Ibn 'Asyur identifies an empirical-inductive research method in formulating the interpretation of the Qur'an. This rule is very helpful in formulating the detailed laws in the nash of the Qur'an. *Maqashid al-Qur'an* which is formulated by Ibn 'Asyur, is the result of the pattern of *istiqla* (inductive) research of Ibn 'Asyur which applies to each interpretation process.

IV. CONCLUSION

The interpretation method of Ibn 'Asyur in his commentary is a form of blend between the method of analysis of history (*riwayah* or *matsurah*) and analysis based on reason (criminals or appeals). In the first method, Ibn 'Asyur seeks to interpret the text of the Qur'an based on other texts in the form of interpretation history to know the historical side of the Qur'an such as *Asbab Nuzul*, *Nasikh Mansukh*, and others, as well as discussion of related scholars interpreted sentences. While the method of critique / appeals to analyze the text of the Qur'an through linguistic study and is occasionally integrated with the various modern scientific (science) that developed at that time.

The implication of method Ibn 'Asyur's interpretation of *maqashid al-Qur'an* in his tafseer works leads to two points: Firstly, the formulation of purpose-goals (*maqashid*) of the Qur'an based on its level into three categories namely *ammah*, *khasshah*, and *juzziyah*. Second, the method of Ibn 'Asyur in the process of excavation of *maqashid al-Qur'an* is by using the *istiqla* (inductive) method. This method is used by Ibn 'Asyur to draw the general conclusion of the Qur'anic purpose based on the characteristics of the legal units contained in each text.

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The Values of the Syadziliyah Tariqah Sufficiency (Case Study of the Adherents At PETA Islamic Boarding School Tulungagung)

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Abstract—The paper entitled "The Values of the Syadziliyah Tariqah Sufficiency" (Case Study of the adherents at PETA islamic boarding school Tulungagung) is the result of research on the practice of Syadziliyah tariqah at PETA islamic boarding school Tulungagung. Syadziliyah tariqah is a tariqah developed by Abu al-Hasan al-Syadzili. It grew in Egypt and spread to the rest of the world including Indonesia. Syadziliyah tariqah has entered Indonesia for a long time. It is not known about exactly when. Many adherents of Syadziliyah tariqah live in Central and East Java. In East Java the tariqa is growing in Tulungagung rapidly. There is an islamic boarding school called Thoriqot Agung (PETA) which is the place where this tariqah is spread.

Keywords: *Mysticism Islam, Tarikat Syadziliyah, Thought, PETA Islamic Boarding School.*

I. INTRODUCTION

Tarikat can not be separated from Sufism. Etymologically the word shufi (Sufis) is derived from the word shuf (wool) described by the Sufis using wool cloth to dress as the implementation of their deity, so that comes the name Sufism which means the teachings of the Sufis.[1] In its tradition these Sufis have a way or method to get closer to the Creator commonly called tarikat. Etymologically, the word "tarikat" is derived from the Arabic حَقِيزَة which is the form of mashdar (noun) of the word which has the meaning of حَقِيزَة (way, way), بَوَهِسْلَا (method, system), مَهْدَنَّا (madhhab, flow), and حَنَاحِنَا (circumstances). In term, the meaning of the path is a way to God (Allah) who can bring it to the happiness of the hereafter. In his teachings, the path is a servant's attempt to seek God's pleasure and this is the ultimate goal not on the merits of heaven or hell they run a service.[2] Further according to Ustad Zen everything done by a skilled servant of the path is for God, all by the will of God and the Lord

is the authority over all that a servant does. In Islam, there are various kinds of Tarikat one of which is The Syadziliyah Tariqah whose followers have spread all over the world.

The Syadziliyah Tarikat was founded by Abu al-Hasan al-Syadzili. He was born in Ghumara, North Morocco at 593 AH / 1175 AD in a farm laborer family. On the part of the father, al-Syadzili came from a bloodline of blue blood that could be reconciled with the Caliph Ali bin Abi Talib ra. He lived in Morocco until his youth. He received spiritual guidance and met with Qutb who brought him into a Sufi. However, Sufism is not so developed in Morocco because in the region the development of Sufism runs very slowly. Syadzili can actually develop his tasawuf in the Egyptian region.

The Syadziliyah Tariqah then developed and spread throughout the world including Indonesia. This entry and growth in Indonesia, especially in Central Java and East Java. In East Java there is a cottage that embraces The Syadziliyah Tariqah namely Pesulukan Thoriqot Agung (PETA). This cottage was founded by K.H. Muhammad Mustaqiem bin Husayn in 1940, as a place to accommodate the students of the Tadkat Syadziliyah who were running secrets. In the beginning, this cottage stands on a modest basis, which then continues to grow to this day and the teachings of The Syadziliyah Tariqah are preserved to this day.

PETA Islamic Boarding School is a cottage that not only teaches and practices the Tadkat Syadziliyah. But teach and practice two other tarikat also, namely Tarikat Qadiriyyah and Tarikat Qadiriyyah wa Naqsyabandiyah. So this is the reason why the name Thoriqot the Great is used. As founder of PETA Cottage, K.H. Mustaqiem is a Kiai figure who has a lot of

profound knowledge in religion and tarikat. He studied Islam in Pondok Kauman which later became the location of PETA Islamic Boarding School at this time. He was the first murshid of the Syadziliyah Tarikat in PETA Hut who got a diploma from K.H. Abdul Rozak At Tarmasy from Pacitan. While the other two he got from Kiai Chudlori.

In 1970, K.H. Mustaqiem died at the age of 69 years. After K.H. Mustaqiem was died, PETA cottage was passed on to one of his sons, K.H. Abdul Djalil Mustaqiem who also died. As a successor, now PETA Cottage was taken care of by M. Solachuddin, one of K.H's sons. Abdul Djalil Mustaqiem who was only about 29 years old.

The Syadziliyah Tariqah until now still taught and survive in PETA islamic boarding school Tulungagung. Therefore, this paper discusses the background of the emergence and development of Tariqah Syadziliyah in PETA islamic boarding school Tulungagung, the implementation of the values of the Sufism of the The Syadziliyah Tariqah in PETA islamic boarding school Tulungagung; and the implications of the Syadziliyah movement towards the empowerment of the ummah. This discussion has a purpose, namely: explaining the history and development of The Syadziliyah Tariqah in PETA Islamic Boarding School Tulungagung; understand the teachings and practices of The Syadziliyah Tariqah in Tulungagung PAPA Cottage; describes the opinion of the people of Tulungagung about The Syadziliyah Tariqah in PETA Islamic Boarding School Tulungagung; and to describe the implications of the Syadziliyah movement towards the empowerment of the ummah.

METHOD

The writing of this paper is based on the theory of phenomenology. The word phenomenology in English is called a phenomenon or phenomenon, etymologically meaning embodiment, event, or phenomenon. However, in the nineteenth century the phenomenological sense became synonymous with facts.[3] Phenomenology is the science of what appears. From this explanation it can be understood that phenomenology is a flow that speaks of phenomena or anything that appears or that manifests it self.[4] Phenomenology was originally a stream in philosophy that explains about the apparition theory or phenomenon. The theory of phenomenology is based on the thought of Edmund Husserl (1859-1938). According to Husserl, influential phenomenology analyzes all types of experiences in depth including religious experience, moral experience, scientific experience or concept based on sensing. Phenomenology also attempts to explain the inner quality of the mind by

emphasizing its attention to the characteristics of psychological awareness.[5]

The focus of the study or focus of phenomenological research is the structure of consciousness or the structure of experience, therefore phenomenology is sometimes simplified as the science of consciousness. According to the doctrine of phenomenology, consciousness is a structure consisting of the basic structure and other structures arising from this basic structure. The basic structure of consciousness is intentionality. The meaning of intentionality is toward, pointing to, or having a goal or direction.[6]

The object of phenomenological research is directed to the awareness structure contained within the subject or the first person who has new ideas about social reality rather than reality that already exists factually-objectively but in idea of creating a new reality. The sociology of phenomenology according to Schutz, meant that social science should interpret and explain human behavior and thought by describing the fundamental structures of reality.[7]

The consolidation of the phenomenological method becomes more sociologically done by Peter L. Berger and Thomas Luckmann with the theory of social construction. They depart from the premise that humans construct social reality through subjective processes and in time can turn into objective. In this case it is assumed that the construction process through habituation of action that allows the actor to know the action over and over again and show regularity. In terms of phenomenology, the actor can identify the actions and motives in it.

RESULT

The History of the Entrance of Syadziliyah Tariqah in Tulungagung

Syadziliyah Tarikat has entered Indonesia long ago. One of the figures namely Gus Dur said that Mbah Pemalu who is the ancestor of ulama in the land of Java is a follower of Syadziliyah tariqah. The Walisongo also partly adhered to the Syadziliyah tarekat like in Pekalongan and Banten. The Syadziliyah Tariqah is then developed rapidly in East Java precisely in Tulungagung. A very influential figure in developing the Syadziliyah line in Tulungagung is Sheikh Mustaqim bin Muhammad Husein bin Abdul Djalil who founded a cottage named PETA which until now stands tall in the heart of Tulungagung.[8]

Sheikh Kiai Mustaqim was born in 1901 in Nawangan village, Kras district, Kediri district. Since the age of his children with his father-mother lives in the city of Tulungagung. He is also a friend of Bung Karno. There is a uniqueness between the friendship of these two

figures, they were both born in 1901 and died in the 1970s. [9]

At the age of 13, Kiai Mustaqim was boarded by his parents to a cleric named Kiai Zarkasyi in the village of Kauman, Tulungagung city. The location of the house as well as the cottage Kiai Zarkasyi to the south of PETA cottage now. Kiai Zarkasyi is one of the Tulungagung scholars who had visited Hasyim Asy'ari several times and other Tulungagung scholars such as Raden Patah, Mangunsari and Kiai Qomarudin Kauman. From Kiai Zarkasyi that Kiai Mustaqim get a lesson of various sciences Shari'a, such as the sciences of fiqh, al quran and hadith. At the age that is still very young Kiai also get the extraordinary gift from Allah that is in the form of dhikr sirri. His heart always pronounces God's word. continuously unceasingly every time unconsciously. He even tried to stop the dhikr but failed. This dhikr avoids the properties of madzmumah, such as jealousy, envy, ujub, riya ', takabur, and so forth. [10]

In East Java many pondok teach fiqh whereas in West Java many cottages that teach about the supernatural powers. A scholar feels imperfect if he does not master the two sciences so that the East Java ulama learn in the cottage of West Java and vice versa. Kiai Mustaqim also learn the science of the supernatural powers. Kiai Mustaqim married Halimatus Sa'diyah daughter of H. Rois after marriage Kiai Mustaqim preach by teaching the dhikr sirri through silat moves from Kiai Chudlori. The house of his wife is the forerunner of PETA cottage which is the center of the spread of The Syadziliyah Tariqah in Tulungagung. So it can be said since 1925 PETA began to be established. At that time Sheikh Mustaqim got the title of "Mustaqim warrior". At that time he also taught hizhib autad or hizhib kahfi. Martial science is taught not to fight but to fight lust. [11]

In 1945 he attended a great guest from Termas cottage, Pacitan district. He was named Kiai Abdur Rozaq bin Abdillah at Turmusy's younger brother from Sheikh al Hafidz Mahfudzb at Turmusy and KH. Dimyathi at Turmusy. Sheikh Abdul Rozaq himself in Pacitan and surrounding areas is better known as Den Dur. The event of Kiai Abdur Rozaq's arrival begins with the visit of one of Shaykh Mustaqim's disciples named Asfaham to the Termas hut. While at the Termas cottage, Asfaham experienced an event called jadzab. Seeing that Kiai Abdur Rozaq was so impressed with the young man named Asfaham. After returning to consciousness and recovering as before then Asfaham was asked by Kiai Abdur Rozaq about who his teacher was and was taught by his teacher. Answered by Asfaham that his teacher is Kiai Mustaqim and he is taught or

dijjazahi hizib kafi. That's what makes Kiai Abdur Rozaq interested to visit and studied to Kiai Mustaqim. A few days later Kiai Abdur Rozaq went to Tulungagung on a horse. [12]

After arriving in front of Kiai Mustaqim, Kiai Abdur Rozaq later introduced himself and expressed his goal came to Kiai Mustaqim is to learn. Hearing the words of Kiai Abdur Rozaq, Kiai Mustaqim said, "Kiai Sorry Sorry. Actually I have long heard the big name panjenengan in Termas there. But today I feel the prelude. Therefore, I ask Kiai to accept me as your disciple. "Kiai Abdur Rozaq replied," No Kiai, I come all the way here is with one purpose that is to gain knowledge from you. "Kiai Mustaqim remains to its foundation that is for Kiai Abdur Rozaq to accept him as his student. For a long time they both argued for each to be a disciple. Finally, the two mutually silent, with soft voice and words of wisdom, Kiai Mustaqim said, "so then Kiai, as my homage to a guest, then I give up to obey your wishes." Then Kiai Mustaqim gave Kiai Abdur a wirid Rozaq. Some say that the enchanted wirid is hizib kafi, but others say *Bismillaahilladzi laa yadhurru* and *al Ghoniyyul Maani'u*. [13]

After Kiai Mustaqim taught Kiai Abdur Rozaq, then Kiai Mustaqim also collects promises for Kiai Abdur Rozaq to turn into a teacher for himself. Then Kiai Abdur Rozaq was willing to become a teacher for Kiai Mustaqim, Kiai Abdur Rozaq asked Kiai Mustaqim to choose the practice in the book he brought. Then Kiai Mustaqim opened a page of the exact book containing Tarikat Syadziliyah. Kiai Abdur Rozaq also taught the practice of the tariqah then advised "Kiai please this sampean amalkan here because this tarikat will grow here." Starting from this Tadkat Syadziliyah also developed in Tulungagung. Kiai Mustaqim who previously also studied Tarikat Qadiriyyah and Tarikat Qadiriyyah wa Naqsabandiyah did not leave the previous two tarkats. So in his cottage (PETA) taught three such tarikats although Syadziliyah tarikat more prioritized. [14]

The Development of Syadziliyah Tariqah in Tulungagung

Since Kiai Mustaqim got a lesson on the Syadziliyah Tarikat and received a message from Kiai Abdur Rozaq, then Kiai Mustaqim practiced it. He developed this Syadziliyah Tarikat in his place which until now has become the center of the distribution of this tarikat in Tulungagung. [15]

The Syadziliyah Tariqahwell received in Tulungagung so that teaching activities in the cottage changed from the form of martial arts college to the cottage tarikat. At first the Syadziliyah Tarikat practice was performed only on a Tuesday night and was followed by 9 people. The longer the more who follow the

practice of Tarikat Syadziliyah, then the practice is done on Friday night in their respective homes.

It succeeded in getting a place in the hearts of people. More and more people are interested in this line. At first this cottage is called the "Kauman Cottage" there is no definite name for this cottage. This new cottage was named PETA after the third Mu'tamar Jam'iyah in 1963. Previously the first Mu'tamar was held in 1957 in Tegalrejo, Magelang and Mu'tamar, the second was held in 1959 in Pekalongan. This cottage is named PETA by Kiai Mustaqim which has the meaning of a cottage that teaches at the same time the three great tarikat namely Tarikat Syadziliyah, Tarikat Qodiriyah wa Tarikat Naqsyabandiyah, and Tarikat Qadiriyyah. But in practice it is the most dominant Syadziliyah line taught in this PETA cottage.[16]

This PETA name also has meaning as defender of the country. It is evident that the teachings of PETA huts not only teach spirituality but since the founding of this cottage have been many activities in the field of humanity.[17] But in this PETA cottage there is no signboard that signifies this cottage. So if we pass this cottage it will not be seen that this is a hut. This is done deliberately to cleanse the hearts of the students of the PETA adherents of the Syadziliyah tariqah here. People who come to this cottage are people who want to learn pure without expecting status as a student in any institution.[18]

PETA members are growing longer. Even when the economic conditions of Kiai Mustaqim and Mbah Nyai Sa'diyah in the economic concerns that hit his household life. With patience, tawakal and istiqomah still nurturing his students who underwent suluk and khususiyah. Told not having enough money to buy rice, when it was time to cook for special people, then mbah nyai Sa'diyah buy some banana comb which then sliced small number of people then distributed.

In the course of spreading this line, Kiai Mustaqim also got many challenges from people who did not like the existence of the line taught by Kiai Mustaqim. The Tarikat was once considered heretical and was called not the Syadziliyah line but the Mustaqimiyah line. Kiai Mustaqim who invites his students to Popoh to cancel (clean) his students from the science gained previously accused of facing Roro Kidul nyai in Popoh there. There is also a saying that this PETA cottage where to find pesugihan, shamanism, kanuragan and other negative things. All slander faced by Kiai Mustaqim patiently. Until Kiai Mustaqim died

and was replaced by Kiai Abdul Djalil, the slander is still there.[19]

Despite this slander, Kiai Mustaqim's teachings on the Syadziliyah line have proved that this is not a heresy as it is alleged. This is evidenced by the increasing number of PETA students. The way this Syadziliyah movement is spread is by creating agents and groups in different regions. Sultanagung78.com was formed which is a means of spreading and gathering adherents Tarikat Syadziliyah. Their spirit is so strong that relations between members are very close. In this tarikat there is no alumni term. Anyone who does intend from the bottom of heart to study this tarikat will remain a lifelong member. The followers of this tarikat are not only from Tulungagung but many also from other regions such as Kediri there are 18 groups, Blitar there are 35 groups, Gerobogan there are 38 groups, Blora there are 47 groups, Trenggalek there are 72 groups, Yogyakarta, Surabaya, Brebes, Jombang, Madiun, Jabodetabek, Purwakarta, Karawang, Jember, Jepara and East Kalimantan.

C. The Teachings and Practices of The Syadziliyah Tariqah at PETA Islamic Boarding School Tulungagung

In teaching and practice, The Syadziliyah Tariqah is actually not much different from the teachings and practices of the existing tarikat in Indonesia. Everything teaches deeds that lead to worship amaliyah which is self-approaching to Allah by multiplying dhikr and sholawat. The purpose of the Sufism institution of the Tarikat is to obtain a direct relationship with God, so that feel and conscious are in the presence of God. All Sufis argue that the only way that can lead a person to the presence of God is by the sanctity and perfection of the soul, even though the degree of purity and perfection is varied. To achieve the level of perfection and sanctity, the soul requires long mental education and practice. Because at the stage of theory and practice tasawuf formulated in the form of mental attitude settings and discipline of a strict behavior[20]. But in detail the basic points of the teachings of The Syadziliyah Tariqah follows[21]:

Taqwa to Allah SWT is inward, consistently (istiqomah), patient, and steadfast always keeps all the commandments of Allah SWT and away from all his prohibitions with the waro '(be careful of all the haram, makruh, or syubhat), both when alone and in the presence of others.

Following the sunna-sunnah of the Prophet Muhammad in his speech and deeds, that is by always trying his hardest to always say and do the charity as exemplified by the Prophet SAW, and always wary to always run noble character (akhlaqulkarimah).

Empty the heart of all things besides Allah SWT, that is by not care about the creatures in their joy or hatred accompanied by patience and surrender to Allah Almighty (tawakal).

Ridho to Allah, both in the shortcomings and the advantages, that is by always ridho, ikhlas, qana'ah (not greedy, nrimo ing pandum), and tawakal in receiving the gift of Allah SWT, either when the giving is little or much, light or heavy, and narrow or roomy.

Return to God in joy and sorrow, that is by the quickest way "run" and return to Allah SWT in all circumstances, both in the atmosphere of joy and sorrow.

The five points mentioned above also relate to the following five points:

Have high spirits, because with high spirit, it will rise also the degree of a person.

Be careful or vigilant against all that is haraam, because whoever abandons everything that is forbidden, then Allah will take care of his honor also.

Good in solemn (devotion) as servant, because whoever keeps goodness and truth in obedience to Allah SWT, will achieve its goal in his greatness and glory.

Done everything that is falsified, because those who carry out their duties properly, will undoubtedly happy his life.

Respect or uphold the blessings of Allah SWT, because whoever upholds the blessings then grateful, then he will receive additional favors greater.

In addition to the teachings given, the followers of the Syadziliyah tarikat are also encouraged to do the deeds in accordance with the points of the teaching of the path[22]. Asy Shaykh Abu Hasan asy Syadzily taught the Bahi hizib and also the hizib of Nashor. These two hizibs are often used by Muslims in the world, especially the great scholars even though they do not follow the Sheikh's line. Hizib Bahri means the hizib received asy Shaykh directly from Rasulullah SAW relates to the state of the ocean that has no wind.

In addition to Hizib Bahri there are also other practices done by followers Tarikat Syadziliyah among others[23]:

Amaliyah aurod: first read basmalah and al-Fatihah lilahi ta'ala. Then read the two sentences creed 100 times and takbir 100 times. Followed by hadiyah-hadiyah or khadhroh Fatihah each shown to: Prophet Muhammad, Abu Bakr as-Shidiq, Umar ibn al-Khattab, Uthman ibn Affan, Ali ibn Abi Talib, Hasan and Husain, Mbah Pemalu, Walisongo, asy Sheikh Abdul Qodir al-Jilani, asy Sheikh Abdur Rozzaq, asy Sheikh Abdus Salam, asy Sheikh Abu Hassan as-Syadzily, and some additional scholars for Kiai minas sholihin, asy Sheikh Solachuddin bin

Abdul Djalil Mustaqim, asy Sheikh Abdul Djalil bin Mustaqim, asy Shaykh Mustaqim ibn Husain, both parents, then plurally addressed to the prophet Adam and the mother of Eve, the prophets and the prophets, the martyrs, sholihin, auliya'il 'arifin,' ulama'il 'amilin, angels muqorrobin, all male and female believers, all Muslims are male and female, and the latter is addressed to the prophet Khidr. Then read istighfar 100 times, sholawat Syadziliyah (there is also a mention sholawat Kawamil) 100 times, dafira nafi isbat 100 times that begins with dzikir 3 times slowly, then read laa ilaaha illal-Looh Muhammadur rosululloh shollalloohu 'alaihi wa sallam, al-Fatihah, and end with a prayer reading. Prayers that can be read tawassul prayer or any prayer that is in accordance with the guidance of the Shari'a.

Riyadhoh fasting: fasting for 41 days. It is recommended that fasting is done at PETA Islamic Boarding School commonly called suluk, for 41 days continuously. In the period of Kiai Mustaqim the fasting practice for 41 days is required to be held in the hut PETA, but in the time of Kiai Abdul Djalil, pelaksanaan this fast should still be implemented in the hut PETA but may be installments in installments. Then at the time of murshid Kiai Solachuddin who currently leads the hut PETA, given the leniency again that the fasting for 41 days may be partially implemented in the hut PETA, some can be done at home respectively. This relief was given by Gus Solach because many PETA students could not stay long in the cottage due to job demands. Many PETA students who work civil servants so it is difficult if you have to leave for 41 days. Implementation of fasting is allowed 10 days done in the hut PETA, then the rest at home or vice versa. During fasting the followers are required to read aurod Syadziliyah at least every five prayer times. It would be better if added by reading it after sunnat prayers. It is also endeavored to avoid foods and beverages containing animal elements.

Riyadhoh wandering: In addition to fasting, in this tarikat is also taught to wander as a form of riyadhoh. Wandering is done with the aim to seek knowledge in all places and live simply. The term Javanese calls this term ngere or in tasawuf term is called zuhud. Usually the followers of tarikat who perform this ritual travel from village to village with a very simple and sufficient supplies. In performing this ritual, the salik (the person doing riyadhoh) will be thoroughly tested for his patience and required to forget all forms of worldly luxury. Riyadhoh habits are still done until now though in different forms. Riyadhoh wandering nowadays does not have to wander from one village to another, but can also be done

in the area around like a trip from home to work or wherever it is located. In essence the concept of riyadhoh is a spiritual journey that must be followed by the followers of the Syadziliyah tarikat as a condition requested by the Mursyid.

Many stories are told by resource-related process riyadhoh ever done by some followers of Syadziliyah tarikat. There was a disciple of this Tarikat followers who were commonly called Corporal Mbah, he was ordered to perform a riyadhoh by wandering from one village to another. With a provision that even he was following the orders of the Mursyid and began traveling from one market to another market and from one village to another village. He was spit on as a beggar. But it certainly does not make the Corporal Mbah stop and despair because it is a test that must be passed. There is also the story of Mbah Husin where at that time he was ordered to beriyadhoh by not talking much or mute. He is a person who loves and respects habaib. One day when he was doing wirid in the mosque, he was suddenly greeted by his friend who is a habib. But because he is in tirakatnya, forced to ignore the call and choose to go for the sake of perfection of riyadhoh[24].

This kind of riyadhoh process is a mandatory ritual that until now there are still people who implement it in accordance with the provisions ordered by the murshid. Like other tarikats, the Syadziliyah tribe also possessed the deeds or amaliyah routine that had to be carried out. The deeds consist of daily practice, weekly practice, monthly practice, and annual practice. Every disciple or follower of this tarikat must perform daily deeds according to the command of the murshid. Implementation can be implemented in each house or in the mosque and time of execution was not specified specifically. Weekly weekly practice is held on Tuesday nights and Friday nights (khususiyah) with wirid Qadiriyyah and Syadziliyyah. Its implementation includes reading of wirid and circumcision prayers. Usually after praying fardhu read wirid Qadiriyyah, continued shalat hajat, taubat prayer, witr prayer, and end with dzikir syadziliyyah wirid reading. Weekly practice is carried out in all branches that have been recorded in the database and led by the priest who has been appointed murshid. There are also monthly or monthly practices performed every Friday night kliwon. The practice is filled with salat prayer practices such as 12 rakah prayers with 6 times greetings, taubat prayer 4 rakaat with 2 times greetings, prayer witr 3 rakaat with 2 times greetings, then wirid fatihah 1 time, shahada 100 times, takbir 100 times, recitation of hadiyah fatihah, istighfar 100 times, shalawat 100 times, and ending with wirid Syadziliyyah. The annual practice is carried out by performing haul every beginning of Muharram month to commemorate

the death of Sheikh Mustaqim which is also stated also as the founding day of Pesulukan Thoriqot Agung (PETA).

It also teaches the concept of balance and harmony between the life of the world and the hereafter. That is, in daily practice the followers of tarikat not only focus on human relationships with Allah SWT and forget the worldly interests, but they also continue to conduct activities like social beings. PETA which is a place of Tarikat developed has a unit of activity that moves in economic sector like boutique, cafe Halte (Halal Tenan), cafe, workshop, and also website management sultanagung78.com. All of that is managed by the santri who are also followers of the Syadziliyah tarikat under the supervision of PETA Foundation[25]

D. View of Tulungagung Society about The Syadziliyah Tariqahat PETA Islamic Boarding School Tulungagung

As a great line, The Syadziliyah TariqahPETA has a great influence for the people around PETA cottage. On January 1, 2013 an interview was conducted on PETA cottage communities. The majority of the community around PETA cottage are well informed about the physical activity of PETA cottage such as weekly, monthly, and haul akbar activities which is conducted once a year. The community around the cottage, despite knowing the physical activity of PETA, is unknowledgeable about syadziliyah tarikat on PETA hut itself.

Communities around PETA cottage majority work as traders. The livelihoods of people around PETA cottage are influenced by geography in the city center. Commodity goods sold by people who trade around PETA cottage are commodities related to Moslem worship such as sarong, moslem clothes, prayer rugs, songkok, tasbih and other worship equipment. The rest are sellers of non-religious commodities such as food, school books, and so forth. Although the majority of the community around PETA cottage is Muslim, but many also live around PETA cottage especially in front of PETA cottage area is ethnic Chinese society which majority of Christian. The Chinese community is a large-scale According to the explanation of one of the surrounding community named Muhammad Khoiruddin who daily work as a trader, the followers of the TarikatSyadziliyyah in the PETA cottage, said thatobedient to the command and mandate of a Mursyid PETA cottageis a liability. Khoiruddin had a brother named Muhammad Masbuth who became part of the PETA cottage family,

Khoiruddin himself was also active in the activities held at PETA cottage. According to Khoiruddin, PETA cottage is very crowded on the eve of Friday Kliwon when monthly activities are held. He said the monthly observation was attended by many disciples who studied at PETA cottages. Even in the monthly recitation was attended by guests who have important positions in government. According to Khoiruddin's observations, many cars with red number plate parked indicating that the monthly recitation participants are officials. Khoiruddin also informed that East Java Vice Governor, Saifullah Yusuf, once attended a monthly recitation session on Friday night at Kliwon at PETA cottage. Khoiruddin on the occasion of the interview also told about the virtue of a Mursyid PETA Islamic Boarding School that has the privilege to cure the disease. It was known when Muhammad Masbuth, his brother, got sick in healing when visiting the house Mursyid PETA cottage when still led by Sheikh Abdul Jalil Mustaqim. Regarding the haul event of the founder, Sheikh Mustaqim, held every year, Khoiruddin said that the haul event is always very crowded and attended by students who had studied Tarikat at PETA Islamic Boarding School from various areas such as Jakarta, Surabaya, and the area around Tulungagung such as Kediri, Blitar, and Trenggalek. Although Khoiruddin was not very active, he admitted that his heart became calm when performing wirid-wirid that ever obtained when following the event held PETA Cottage. Interviews with communities around PETA cottage need to be done to find out the daily social relationships between PETA huts and surrounding communities.

Another community named Muhammad Thamrin, a Muslim clothing merchant from Solo revealed that PETA Islamic Boarding School has a lot of students scattered in various place of Indonesia. Many tarikat students come from outside Tulungagung when PETA cottage conducts an activity, especially the monthly activities held on the Friday of Kliwon and the annual PETA Pondok event commemorating haul Shaykh Mustaqim. Students who study Tarikat at PETA cottage are considered good and polite when mixing with the surrounding community and the students of PETA Pondok is known as a quiet figure in doing an activity. Thamrin also explained that the students in PETA cottage area often clean up the environment around the cottage by cleaning the river located beside the cottage.

Sholeh, the food sales community around PETA Cottage said that he is a committee of the consumption section. Sholeh tells that the

consumption he handles is so great that he predicts that the haul every year is attended by tens of thousands of participants. According to Sholeh, a Mursyid of PETA cottage has a strong influence for the community around in particular and Tulungagung in general. PETA cottage has a very influential figure, especially during the leadership of Sheikh Abdul Jalil Mustaqim, Sholeh said Sheikh Abdul Jalil Mustaqim took the time to socialize with the surrounding community when having spare time. Although he had died, the harmony of PETA cottage under the leadership of Shaykh Sholachuddin Abdul Jalil with the surrounding community remains the same.

Malik, the daily community who works as a security guard for the Great Mosque of al-Munawwar said that he had known about PETA Cottage with his murshid. He explained that when PETA cottage has a big activity such as monthly and annual haul, Al-Munawwar Grand Mosque is always used for tarikat activities. Malik also explained about the circumstances when it was done haul followed by very many disciples that resulted in the protocol streets of Tulungagung city closed to accommodate students who are not accommodated in PETA cottage and Masjid Agung al-Munawwar. Students who study Tarikat at PETA cottage are also very concerned about the cleanliness of the environment around PETA Islamic Boarding School by cleaning up the garbage in the river.

Different testimonies are expressed by Marzuki, a grand mosque administrator. He is a tarbiyah scholar STAIN Tulungagung. He can explain well about the existence of PETA Cottage. He also regularly follow the study of al-hikam book from PETA cottage held on Monday night that opened to the public. He also knew that the existing PETA campus was not only composed of the Syadziliyah Tarikat, but there were other Tarikat like the Qadiriyyah, and Qadiriyyah wa Naqsyabandiyah. According to Marzuki, the existence of PETA haul is very beneficial because it commemorates the struggle of Sheikh Mustaqim bin Muhammad Husein in spreading the Syadziliyah, Qadiriyyah, and Qadiriyyah wa Naqsyabandiyah Tarikat in Tulungagung. Marzuki also recounts when Shaykh Abdul Jalil Mustaqim is still alive, he is often be imam at Masjid Agung al-Munawwar. Based on the results of interviews with the MUI Tulungagung, so far between PETA cottage with MUI Tulungagung there is no communication, so they do not establish a close relationship. This is because PETA cottage is a cottage that teaches the tarkati instead of tarbiyah. If there is an event like haul, MUI is not invited by institution but personally there

are MUI members who get invited[26]. Besides, the The Syadziliyah Tariqah is a mu'tabaroh tarikat, so it is not contrary to the MUI. The majority of the performer is Nahdliyin, because the teaching of tasawuf is Sunni tasawuf. Sunni tasawuf is tasawuf which has a dynamic character, because it always prioritizes shari'at. It is believed that one will not achieve the essence if not through shari'at. Meanwhile, the process of attaining the essence must be through maqamat (stations, terminals)[27]

E. Implication of The Syadziliyah Tariqah

Movement towards People Empowerment

The Syadziliyah Tariqah in Tulungagung

Tulung hut not only talk or pursue the spiritual, but also empower the Ummah especially to the pengamalannya. What if we look at Fazlur Rahman's view means that it has expanded the paradigm from metaphysical-theological to ethical-anthropology[28]. In its efforts to develop human resources, PETA Islamic Boarding School makes several containers in the field of development. This establishment is done professionally and regularly. This can be seen from the organizational structure that is made with highly managed or can be said conceptual in their respective fields, among others: a foundation (organization) for the development of human resources in the economic field with the name of Sultan Agung 78.

Sultan Agung 78 was founded by Gus Sholachuddin in May 2011. This organization aims to develop human resources or can be said as a place to manage the students who are scattered in many areas. In addition, it is quite interesting that PETA foundation has its own economic business that is used to meet the needs of huts and students and as a means of learning santri in developing themselves and skills. This is done because the number of santri including naughty and less well education. So the PETA foundation trains them and prepares them to be able to live in the community with the skills they learn at during PETA. Mrs. Nyai also advised that the benefits of these various businesses go directly to the needs of the students and the cottage does not go into the administrators' pockets. Some of these efforts are located in the northern area of the cottage, the position behind the Great Mosque of al-Munawar Tulungagung so separated location with PETA Pondok location such as:

Steam Wash

Located at the entrance of the northern cottage location adjacent to the office of the great Sultan of 78, precisely behind the Great Mosque of al-Munawar, Tulungagung. This steam wash employs many people with different backgrounds who do need work. Wash steam is very crowded once visitors or consumers, even the consumer was a lot of

people from the upper middle class. This is because the stewardship is run professionally.

Halte Cafe

Located in the middle of the local area of the cottage north of the Cafe is headed by a santri who has educational background at Hotel Sahid Jakarta. Cafe Stop is not only for people from PETA Hut only, but outsiders from PETA Hut can also enjoy the facilities offered by Cafe Halte, including: WiFi and reading books. This cafe is seen at a glance is fairly small, but it does not prevent visitors to come to this café. Many young people who come to discuss or just gather in order to fill the spare time at this cafe.

Cafe

The next business entity is the management of an internet cafe. The cafe is called Zuppynet which is located north of Sultan Agung 78 office. This cafe has many computers in its business. Lots of game applications owned by this cafe. This business is held by one of Kiai Abdul Djalil's daughters ning Ni'mah

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IV. CONCLUSION

Based on the results of the above exposure, it is concluded that the Syadziliyah tariqah is a tariqah developed by Abu al-Hasan al-Syadzili. Tarikat is then developed in Egypt and then spread throughout the world including to Indonesia. Syadziliyah Tarikat has entered Indonesia long ago although it is not known about when exactly. The followers of The Syadziliyah Tariqah are widely available in Central Java and East Java. In East Java this tarikat is growing rapidly in Tulungagung. There is a cottage called Pesulukan Thoriqot Agung (PETA) which is the place where this tariqah is spread.

PETA Islamic Boarding School is a cottage known as Thoriqot Agung. This cottage is located in Tulungagung city, East Java precisely located in the center (square) of Tulungagung city. PETA Islamic Boarding School was first pioneered by K.H Mustaqiem bin Muhammad Husain since the 1930s. Before named Pondok PETA, this cottage named Pondok Kauman, because this cottage is in Kauman Village. However, the name of this Kauman Pondok only lasted until 1963 when the 3rd Mu'tamar Jam'iyah was held in Tulungagung. According to its history, this PETA cottage must be located in downtown Tulungagung because KH Mustaqiem get a will or diploma of Tarikat Syadzilliyah from a friend named Syekh Abdur Rozaq bin Abdillah At-Turmusy or commonly called Den Dur from Pondok Termas in 1945. Before receiving the diploma, KH Mustaqiem has practiced and taught two titles of mu'tabaroh, namely Tarikat Qadiriyyah and Tarikat Qadiriyyah wa Naqsabandiyah from Kiai Chudlori in Malangbong, Ciamis, West Java.

After the death of K.H. Mustaqiem, the reins of PETA cottage leadership were passed on to his sixth child named K.H. Abdul Djalil Mustaqiem bin Mustaqiem bin Muhammad Husain. During the leadership of K.H. Abdul Djalil, this hut is progressing rapidly. His teachings have spread to various regions in Indonesia and abroad until in the process formed branches led by special imam in each branch. K.H. Abdul Djalil also organized the construction of this cottage infrastructure with the construction of a four-storey building. In addition he also made this cottage became a lodge with legal body by creating a foundation named Foundation Pondok PETA.

Gus Sholahuddin bin Abdul Djalil Mustaqiem bin Mustaqiem was the third leader of PETA cottage since 2005 after his father's death. At the time appointed leader, Gus Sholahuddin is still 29 years old and not married. At the time of his leadership, data collection and coordination of santri between branches began to be considered well through the web Sultan Agung 78. He also provides information related to the practice and procedures of teaching PETA cottage with some procedures suluk and riyadhoh the santri.

The essence of the teachings of the Syadziliyah line in PETA Islamic Boarding School is always dhikr or remembrance of Allah wherever we are. It also teaches the balance between world life and the hereafter. There is regular worship performed in this line of worship is done every day, monthly and yearly.

The followers of the Syadziliyah Tariqah tribe in this PETA Hut greatly respected his murshid and every time he wanted to take any action always asked for permission from his murshid. The obedience of the followers of this tariqah is unquestionable. Adherents of the Pasha Syadziliyah Tarikat were initially few, but then flourished. Currently members of this tarikat are spread in various regions throughout Indonesia. The followers of this tarikat from various backgrounds, young, old to old age and various jobs. This is also quite influential in Tulungagung society. Many of the beneficial activities involved involve not only the adherents of the tarekat but also the surrounding community.

The routine activities every year held by PETA Islamic Boarding School are haul figures of PETA. This event involves many parties, starting from santri, administrators to the authorities in the Tulungagung area. This cottage is considered quite exclusive because this cottage acknowledges that no special relationship exists between PETA Islamic Boarding School with mass organizations or government to any political party in the area.

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ISLAMIC LAW

Analysis of Hajj Pilgrimage Regulation in Indonesia

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Abstract—The implementation of Hajj involve many communities include Ministry of Religion as the control of establish national Hajj. Therefore, each community inside, it will be implemented by government institution or a ministry. The health matter will be taken by Ministry of Health. The community of hajj transportation will be taken by Ministry of Transportation. Passport will be taken by Ministry of Law and Human Right Association. Ministry inside the state of nationality occupational, then Ministry outside the state has obligate about bilateral connection. Most of every community includes that hope Hajj will achieve primary about business community of hajj, justice, and professionalization also accountability with non-profit corporation. Besides, it is necessary needed the powerful umbrella of law that relevance about the implementation of Hajj Pilgrimage as good enough.

Keywords: *Hajj Pilgrimage Regulation, Worship of Fiqh*

INTRODUCTION

Hajj pilgrimage is one of Islamic pillar and backbone of the Islamic religion. Someone who do not do Hajj pilgrimage not complete yet in Islamic religion. Then, hajj pilgrimage visit *Baitullah* in Mecca to do good deed in worship with certain requirement.[1] If every requirement of Hajj fill completely to someone, so it's not necessary for someone canceling hajj pilgrimage because obligation from Allah and the Prophet, Muhammad SAW. So, it should be to do haj pilgrimage soon is something that must to do because human does not know what will happen, perhaps later they will be the worst, get ill, sickness, or die.[2]

Doing of hajj for every Muslim to fulfill a requirement of financial, physic, and also mental. Therefore, Hajj obligate worship that it can be done in one time living for alive.[3] Hajj kinds of yearly ritual that every Muslim did in the world to visit and doing activity in Saudi Arabia in one time that's called Haj season (*Dzulhijjah* month). This thing such different kinds as like a *Umroh* that it worship can do any time.

Hajj pilgrimage is a national duty considering the huge number of pilgrims from

Indonesia who involve various agencies and institutions, both in the country and abroad. And related in various aspects such as guidance, transportation, health, accommodation, and security. In addition, the implementation of pilgrimage held in other countries in a very limited time which concerns the good name and dignity of the Indonesian nation abroad, especially in Saudi Arabia

A number of new rules set by the government related to the requirements of hajj and various regulations related to the hajj regulation. Changes made include all aspects that support the occurrence of the pilgrimage is safe and comfortable. This is done in order to make the implementation of the pilgrimage performed well through the best service and simplify the administrative process of pilgrims who are performing the pilgrimage and ensure the service of all employees to the pilgrims has been held comprehensively, quickly and qualified with the spirit of teamwork and using the latest technological means to ensure excellent work ethic and good quality of work. What will be the pilgrims coming home from the holy land will feel in the course of the haj feels impressed and give the most beautiful memories throughout his life after the *baitullah*.

Speaking of Hajj then talks about the worship of the pillars of Islam which is carried out at a certain time and in a certain area and only obliged only held once in a lifetime. Executives are mandatory for those who are able to implement them. It is contained in Q.S. Al-Imran verse 97.

Mentioned in Law No.13 of 2008 article 1 verse (1) the pilgrimage is the fifth pillar of Islam which is a lifetime obligation for every Islamic person who can do it.[4] Implementation requires several requirements both of birth and inner. Require a certain requirement that must be fulfilled again because the state of Indonesia set some binding provisions for the pilgrims because the implementation is not implemented in Indonesia, but abroad that is in the country of Saudi

Arabia. Of course there are rules that are made and must be obeyed by both countries.

Indeed, the Ministry of Religious Affairs or the Ministry of Religious Affairs as the national responsible for the implementation of the Hajj, but each field contained therein, implemented by government agencies or ministries. Starting from health problems, the responsibility of the Ministry of Health. The problem of transportation or pilgrimage is the responsibility of the Ministry of Transportation, the passport issue is the responsibility of the Ministry of Justice and Human Rights, and the Ministry of Home Affairs and the Ministry of Foreign Affairs, is also responsible for the implementation of this pilgrimage. Because, this activity, not only take place in the country, but also abroad. Therefore, the implementation of the pilgrimage is said to be a national task and is bilateral.

II. METHOD

Method and types of approach is library research (library research). This type of research aims to collect data and information about the regulations according to *fiqh* of worship with the help of various - kinds of material that exist in the library. Books or papers relevant to the subject matter studied. In literature research, literature searches more than serve the preparatory functions of the research framework, sharpen the methodology or deepen theoretical studies. Research literature can simultaneously utilize the source library to obtain research data without doing field research.

Approach method used is normative juridical approach method. Normative legal research is a legal research conducted by examining library materials or secondary data.

7 III. RESULT

Based on the research, the following research results can be obtained:

The implementation of hajj held by the government has been run in accordance with the applicable provisions although in practice will adjust the facts in the field.

Legal Protection the given has been run in accordance with the principles of Islamic religion as well as various applicable regulations.

Legal Protection the given has been run in accordance with the principles of Islamic religion 3. Some regulations that apply at least less in accordance with the principle of justice, as well as the suitability between the regulations applicable to the *fiqh* of worship associated with the pilgrimage and norms are strongly in the high reach by the people of Indonesian or various regulations that apply.

A. Principles of Hajj

In the law number 13 of 2008 on the implementation of the pilgrimage article 2 mentions the implementation of pilgrimage performed under the principles of justice, professionalism and accountability with the principle of non-profit.

In the law number 17 of 1999 also states that the implementation of Hajj based on the principle of justice have the opportunity, protection and certainty in accordance with Principle of Indonesia (*Pancasila*) and the 1945 Constitution.

Referred to in the intended purposes herein is the purpose of hajj administration by the government. As stated in the objective of the implementation of Hajj according to Article 3 of Law No. 13 of 2008 is to provide the best guidance, service and protection for Haj pilgrims so that pilgrims can perform their worship according to the provisions of Islamic religious teachings.

This is because the state is responsible for serving the needs of all pilgrims until they finish the pilgrimage. Therefore, the guidance and services that have been meant in Article 3 are all pilgrims in departing to the holy land, getting lodgings in *wukuf* in *Arafah* and in returning back to the holy land. This is the minimum standard of service provided by the government.

Protection is meant here is to ensure the security and comfort of the pilgrims from departing from the homeland to the holy land until they carry out all the needs of the pilgrimage then returned to the homeland of all the disturbance of both terror and safety in the journey.

Rights and obligations of citizens as pilgrims

The right of citizens can also be called by the conception of human rights and democracy is a conception of humanity and social relations that was born from the history of human civilization all over the world. The acquisition of fair rights is one that every citizen must have. Since human beings are created in equal position with equal rights, the principle of equality and equality is central to social interaction.[5]

Enforcement of human right 7 (*Iqamat al-Huquq al-Insaniyyah*). In the Law of the Republic of Indonesia Number 9 Year 1999 on Human Rights explained that human rights is a set of rights inherent in the nature and existence of human beings as the omnipotent god and is a grace that must be respected, in high esteem and protected by the state, the law, government, and every person for the honor

and protection of human dignity and prestige.[6]

While in Indonesia there are institutions that handle human rights commonly called the national commission of human rights (KOMNAS HAM). KOMNAS HAM is an independent institution whose position is at the same level as other state institutions that function to conduct study, protection, research, counseling, monitoring, investigation and mediation on human rights issues. Law number 25 of 2009 provides an overview that every citizen is entitled to receive servants of the government located in article 1, paragraph (6): "The public is all parties, both citizens and residents as individuals, groups, or legal entities domiciled as a beneficiary of public services, either directly or indirectly.[7]

Dalam hal ini para jamaah haji membutuhkan pelayanan jasa publik untuk bagaimana pelaksanaan ibadah haji terlaksana dengan baik. Terdapat undang-undang yang telah mengatur ketentuan umum mengenai pelayanan publik yang berhak di peroleh oleh setiap warga negara, termasuk para jamaah haji. Yaitu terdapat pada undang-undang nomor 25 tahun 2009 pasal 5 ayat (4) poin c tentang pelayanan publik: —The provision of public services whose financing is not sourced from the state budget of income and expenditure or the budget of regional income or expenditure or business entities whose capital of establishment is partly or wholly derived from the wealth of the State and / or separated regional wealth, but its availability becomes the established state mission and regulation legislation.[8]

In the law number 13 of 2008 Article 4 paragraph (1) every citizen of Islam is entitled to perform the pilgrimage on the condition that: at least 18 years old or married, and able to pay BPIH.[9] Included also in law number 34 of 2009 article 7 contains: "Hajj pilgrims are entitled to receive guidance, service and protection in performing the Hajj which includes:

The guidance of the rituals of Hajj and / or other materials, either in the homeland, on the way, or in Saudi Arabia.

Accommodate, accommodation, consumption, transportation and health services, both in the country, during travel and in Saudi Arabia.

Protection as a citizen of Indonesia

The use of ordinary passports and other documents required for the implementation of the Hajj, and

Provision of convenient transportation and accommodation in the country, in Saudi Arabia, and when returning home . [10]

Unilaterally written declaration of the will of the central government organ, granted under the obligation or authority of the constitutional law or administrative law intended for the determination, abolition or termination of existing legal relations or create a new legal relationship, containing the rejection resulting in the determination, amendment , the abolition or the creation of which are all elements of the provisions that must be carried out by every citizen then everything that is made to organize a certain activity becomes an obligation for the citizen to obey it.[11]

The obligation of pilgrims according to the law number 13 of 2008 article 5: every citizen who will perform the pilgrimage is obliged as follows:

- a. Apply to the organizers of the haj pilgrimage office of the local district / municipal religious department.
- b. Paying BPIH deposited through depositors' deposit bank, and
Comply with and comply with the terms and conditions applicable in the organization of the Hajj.[12]

Some requirements and conditions that must be fulfilled are regulated in Minister of Religious Regulation No. 14 of 2012 on the holding of regular Hajj and Minister of Religious Regulation number 23 year 2016 on special haj pilgrimage.

PMA number 14 of 2012 on the holding of regular pilgrimage contains 3 articles which read:

Pendaftaran

Hajj enrollment is done every working day of the year.

Hajj pilgrims are conducted every working day of the year.

Registration of pilgrims conducted in the office of the Ministry of Religious Affairs districts pilgrims appropriate identity cards (KTP).

Hajj registration as referred to in paragraph and paragraph (2) shall be done by the concerned person to take photograph and fingerprint.[13]

PMA number 29 of 2016 on the special pilgrimage of article 14:

Special Hajj registrations are open every business day of the year

Special Hajj registration is done directly by the prospective Hajj pilgrims concerned
Registration of candidates for pilgrims conducted at the regional office.[14]

Other requirements that must be fulfilled is for the procedure of registration of pilgrimage contained in Regulation of the Minister of Religious Affairs number 29 of 2015 on the amendment to PMA number 14 of 2012 on the implementation of regular pilgrimage article 7.

The obligations of the government itself have been contained in the law number 13 of 2008 on pilgrimage article 6: "the government is obliged to conduct coaching, health services, security and others required by pilgrims. [15]

There are six basic elements in the organization of Hajj that must be noticed:

Candidate Hajj, Financing, Administrative Completeness, Transportation Facilities, Inter-state bilateral relationship, Implementing Organization.

C. Hajj Regulation is Viewed from The Fiqh of Worship

PMA 14 of 2012 on the implementation of regular pilgrimage contained in Article 6 paragraph (2) which contains:

The portion number applies only to the pilgrims in question and cannot be replaced.

If viewed from the jurisprudence of the worship then the principle or sound of this article is not in accordance with what has been said in God in the letter Al-Baqarah verse 185:

Allah will ease for you, and does not want trouble for you. And let your numbers be sufficient, and let God glorify His guidance given to you, that you may be grateful.[16]

It is clear that the purpose of God's word that chapter 6 will make it difficult for pilgrims to perform the pilgrimage in administrative terms, in other words, the provision under the above article will appear contradictory about how a person who has paid the hare or cost of the hajj but before leaving a pilgrimage died. Can it not be replaced if it happens?

So this if in review of the benefits and *madhorot* the greater difficulty when Islam is more concerned about the benefits of the *madhorot* as the rule rejects *mafsadat* in the beginning rather than take advantage.

From here it can be analyzed between the merits and *madhorot* regarding the article 6 verse 2 that the pilgrims cannot be replaced in accordance with the portion number that has been registered.

The analysis of quota restrictions for Hajj pilgrims in Indonesia is set forth in law no.13 of 2008, PMA no.14 of 2012 Article 14, PMA no.20 year 2016 Article 22, 23, 24, 25. When there is no origin allowed may visit the Islamic state The rules of jurisprudence:

تَلَزُّوْنَ وَظِلُّ مَلَاَحَ َحُّ َبِجُّ َت تَّارُوْرَضْلًا

Means: the difficulty of allowing the worst. Long meaning in narrow circumstances allows to violate *shari'ah*.

Reference of *tasyri 'al jinai fil Islam* In this book it is explained that it is not allowed to forbid Muslim citizens or Muslim citizens to visit or enter other Muslim countries. However, with consideration to maintain the state conditions including preventing the spread of infectious diseases it can be said that it is a state of difficulty. The point in the teachings of Islam is that in an emergency condition it is permissible for something that was originally prohibited and every condition that allows emergency conditions should be adjusted to its emergency.

The meaning of the rule is something that is not allowed to do so in the event of an emergency. The basic rules above are appropriate for the Islamic state in the event of an emergency.[17]

The existence between the regular pilgrimage and special pilgrimage shows the discrimination between the rich and the poor how money speaks to seek the pilgrimage of those pilgrims who has money easier in carrying out all the needs of the pilgrimage. While in the *fiqh* of worship itself does not regulate about the implementation of the implementation of the pilgrimage is seen from the financial side, but the *fiqh* itself only regulates about *istiitha'ah* or someone's ability to finance the journey of pilgrimage and the cost of daily life of the family left.

In the MUI it provides instruction associated with *istiitha'ah* itself. It states that:

"The Islamic person is considered capable (*istiitha'ah*) to perform the pilgrimage, If the physical, *ruhaniyah* and guiding enable him to perform without neglecting obligations to the family," is considered sufficient.

If there are prospective pilgrims who in the implementation *istiitha'ah* experience irregularities is due to the concerned pay less attention to sound and content *istiitha'ah* it.

There is a need for careful flights, in order to carry out the health *istiithaah* and the hajj pilgrimage points and others that are considered very necessary for prospective pilgrims.

If the pilgrims are required to try, master Arabic and fully master the hajj practice, there will be the assumption that the government to execute the pilgrimage.

Many Indonesian pilgrims every year although not yet balanced with the number of people (140 million people) means showing the size of the Indonesian Muslims Indeed, Indonesian pilgrims mostly consist of rural communities who are very lack of

experience. If among them there is just mismatch, awkwardness is a common thing and do not need to be exaggerated, even should be improved guidance.

Villagers and rural people, if they have an excess of wealth, are not used to storing them in the form of money, but in the form of goods (fields, gardens, houses) which, because of their great need and necessity, they sell those items of great importance as long as they do not disregard the obligations which is more important such as family livelihood.

Who will judge whether or not the implementation of the hajj Indonesia should remember all the considerations as mentioned above

Whatever the circumstances, people in Indonesia need to be upgraded in every way.[18]

The existence of the regulation imposed a ban on candidates for pilgrims who have not aged 12 years, candidates for pilgrims aged 65 years and above and prospective pilgrims who suffer from chronic illness, the regulation is set because of concerns about the spread of AHINI virus (swine flu) and the spread of chronic virus others. (PMA no.29 of 2015 on the second amendment to PMA no.14 of 2012 regarding regular pilgrimage pilgrimage)

Reference of the book of *ihya' ulumuddin* states that if the uttered case is a case that is being worked on though not yet believed and not in the know with something that should not be done generally prejudice that the perpetrators are not in a state forced. So this possibility is to abort the obligation so that the pilgrimage is not mandatory unless there is a belief that the perpetrator does not experience compulsion or must be stop when excited when the prejudice becomes common. Affected by something forced. Imam Ghazali say that it is common to the prejudice of the perpetrators that the perpetrators cannot carry out the hajj is not mandatory.[19]

PMA number 29 of 2015 on the second amendment to PMA number 14 of 2012 concerning the implementation of regular Hajj pilgrimage Article 8 paragraph (1) pilgrims who have been registered and entered the allocation of provincial or district quota for departure during the hajj season of the year plus the portion of reserves originating from the next serial number, is entitled to pay off BPIH with the following conditions:

Never had pilgrimage before

Has been at least 18 years old at the time of departure or has been married

At point [a] is meant to give an opportunity for those who have never performed the pilgrimage at all so that they can perform the obligations of the

pilgrimage and know the benefit of the people from their own interests or commonly called *itsar*. In accordance with the word of Allah Q.S Al-Hasyr verse 9:

And those who have occupied the city of Medina and have believed (*Anshor*) before their coming (*Muhajirin*), they (*Anshor*) 'love' those who emigrated to them (*Muhajirin*). And they (*Anshor*) have no desire in their hearts against what is given to them (*Muhajirin*); and they give priority (*the muhajirin*), upon themselves, even if they are in distress. And who is kept from their own stinginess, they are the ones who are fortunate.[20]

In accordance with the rules:

يَعْرِضُونَ شَيْئًا لِّدَلَالَةٍ بَوَاقًا تَحْلُصُوا

The common interest is the strong *hujjah syara'*.[21]

While the point [b] in accordance with the legitimate requirements of pilgrimage that *dihugata* by *madzahib al-arba'ah*. They agree that a small child is not required to perform hajj, and the obligation of Hajj does not fall if someone is doing the pilgrimage before growing up.[22]

Young children are not required to perform the pilgrimage, both *mumayyiz* and those who have not. Even if already performing the pilgrimage during *mumayyiz* hajj legitimate but the implementation of Hajj at that time is a *sunnah* and the obligation to perform the pilgrimage does not fall. The *umamah* sect differed on two issues concerning the hajj of a *mumayyiz* child, namely: first, is the hajj valid, either with the permission of the guardian or not? Secondly, if he is growing up, but has not implemented *wuquf*, whether the hajj is categorized as obligation or not?

Immamiyah, Hambali, and Shafi'i in one of his prerequisites in one of his opinions stated: the guardian's permission is a legal requirement of ihram. According to Abu Hanifah the child's hajj cannot be considered legitimate, even if already *mumayyiz*, both permitted his guardian or not the same, because the purpose of hajj for the little boy is solely for practice. According to Hambali, and Shafi'i if the child is growing up still has not implemented *wuquf*, then he was given the reward according to hajj in Islam. According to Imami and Maliki if he renews his ihram then he is rewarded. It means that he must perform the Hajj again.[23]

IV. CONCLUSION

Hajj Regulations related to the registration procedure to the returns held by the organizers

trying to facilitate the conduct of the Hajj held in Saudi Arabia. Fiqh worship also regulate how the procedure of implementation starting from the preparation in performing the pilgrimage to return home is easy for the Islamic community to carry it out and not burdensome and it's not pushy.

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Application of Article 5, 6 and 7 Compilation of Islamic Law about Recording of Marriage and Determination of Marriage in Trenggalek

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Abstract— The benefit of Article 5, 6, and 7 Compilation of Islamic Law mentioned above in Ushul Fiqh, including masalah hajiyyah, because it is a more complete implementation of masalah daruriyah, namely the requirement of marriage which should be recorded on all marriage by Employees Registrar of Marriage and in every implementation must be in front of and under its supervision. Application of Article 5, 6, and 7 have been implemented in the District Office of Religious Affairs and the Religious Court of Trenggalek.

Keyword : *Recording of Marriage, Determination of Marriage.*

I. INTRODUCTION

Basically all actions / deeds, words contained in the worship and mu'amalah entirely contains laws, some of which are already contained explanations and there are some vague or not there is an explanation.[1] However, Islamic law has determined the provision and explanation on the matter. Islamic Sharia on this subject explains that the main objective is generating human welfare and maintaining the rules governing social life.

And on the issue of worship and mu'amalah already have legal norms and basic principles. However, due to the development of human civilization there are some rules of the law of bias and eventually evolve flexibly based around the development of civilization in order to spur the benefit of mankind.

A problem that continues to grow, if there is no law, the issue itself into the proposition syar'i, which because of Him we can and will set a benchmark this legal provision based solely intended to look for human welfare and in terms fiqh called mursalah.[2]

Thus it is expected to Islamic law is able to evolve in line with human civilization and to meet human needs and Islamic law is more concerned with the

public good. As for some of the perks of Islamic law including the following:

Islamic law is more able to cover for all the public interest that covers all human needs and not be influenced by lust.

Islamic law contains a torch-faceted spiritual adherents educate and mobilize Islamic law because they were his followers to love virtue, bring benefit and against crime.

All he has done human has two replies, the reply of the world and reward in the Hereafter.[3]

Islamic law has broad principles and fair so as to meet all the needs and development along with the development of civilization and human welfare, it means the development of human civilization must be balanced with legal developments.

From the description above can be drawn a conclusion that the law was born and developed with the community and regulations or laws appear to realize the benefit of people in the world and in the hereafter. As well as chapters 5, 6 and 7 compilation of Islamic law which is said by some legal experts as jurisprudents Indonesia is a new rule or law in matters of marriage. The third chapter is as follows:

Article 5

Order to guarantee their marriage for the people of Islam every marriage should be noted

The records are in paragraph (1), carried out by the Registrar of Marriage Officer as stipulated in Law No. 22 In 1946, Law No. jucto 32 of 1954.

Article 6

To meet the provisions of Article (5), every marriage should be conducted in the presence and under the supervision of the Registrar of Marriage Officer.

2. Marriages performed out of control Employees of Marriage Registrar does not have the force of law.

Article 7

Marriage can only be proven with Marriage Certificate made by the Registrar of Marriage Officer.

In marriage it cannot be proved by Certificate, can be submitted to the Religious Courts *ithbat* illegitimate.

Ithbat marriage that can be submitted to the Religious Court limited on matters relating to:

Their marriage in the context of a divorce settlement.

The loss of a marriage certificate.

Their legitimacy doubts about whether or not one of the conditions of marriage.

Their marriage that occurred prior to the entry into force (Law No. 01 of 1974) and;

Marriages performed by those who do not have a marriage impediment under the Act No.01 of 1974;

Ithbat entitled to apply for a marriage is the husband or

wife, their children, of guardians and interested parties to the marriage.[4]

Such articles are made only for the interests and welfare of the people of Islam, in order to ensure its order of marriage for people of Islam (KHI Article 5, paragraph 1). Although the provisions and objectives of those chapters is quite clear, still there is a difference of opinion about the article. There are some circles that allow a marriage, although not carried out according the article, or more popularly called a marriage under the hand.

Marriage under the hand was a wedding conducted by the people of Islam Indonesia, fulfilling both the pillars or the terms of marriage, but not registered with the Registrar of Marriage, as regulated and determined by Act No. 1 of 1974.[5] Because the marriage was not recorded at Religion Office, then husband and wife does not have a valid marriage certificate. Some people who allow their marriage under the hand, according to them a marriage is deemed valid if the marriage has been qualified and harmonious marriage has been defined by religion.

There is some analysis of why the registration of marriages are not given serious attention by though existing *fiqh al-Quran* verses that advocate for recording all forms *mu'amalah* transaction. First, the prohibition to write anything other than the Quran. As a result, the culture of writing not as developed compared with rote or oral culture. Second, the continuation of the first, so they rely heavily on rote (memory). Presumably

considering a marriage event is not a difficult thing to do. Third, *al-urisy walimah* tradition although with a goat is the next witness *shar'i* about a marriage. Fourth, there is the impression of a marriage that took place in the early days of Islam has not occurred between the different regions of the country. Usually the marriage at that time directly where the future husband and wife candidates are in the same region. So the marriage of evidence other than the witness is not required.[6]

With the reasons mentioned above, it can be said that the registration of marriage has not been seen as a very important and has not been used as evidence against an authentic marriage.

Therefore, according to some classes, which already qualified marriage and harmonious marriage are legitimate. Although it is not necessary to record to the Registrar of Marriage Officer. However, the marriage is valid according to the State yet. It is based on Law No. 01 of 1974, According to Law No. 01 In 1974 the marriage is valid if done according to each religion and belief, and every marriage must be recorded in accordance with the legislation in force.[7]

Whereas another opinion which does not allow marriage under the hand is the problem of registration, *walimah* and *i'lanun* marriage (spreading a party). Though marriage under *tanggan* generally is kept secret / hidden.[8] Secret marriage of this kind can cause confusion about the status of the couple and the child to be born, and can lead to problems later on. Among them is the problem of administration, demography, status, inheritance, and so forth.

This difference arises because the legislation is nothing new that has not been prearranged and no passage that explains this, so they assume that the regulation is an administrative regulation of religion. Not a requirement or a new pillar for the people of Indonesia.

Thus a marriage, although not carried out under the Employees Registrar of Marriage, as long as they meet the provisions of *fiqh* that they believed had been seen as legitimate. They do not consider the provisions of the article is not a new *fiqh* provisions that must be obeyed. Though the article is made solely for the benefit and the benefit of Muslims.

This can be evidenced by the issue or matter that requires evidence of a marriage of a person. The marriage can only be proved by a marriage certificate made by the Registrar of Marriage Officer (provisions of Article 7 paragraph 1 Compilation of Islamic Law).

Realizing the benefit of all mankind either benefit or benefit in the next world is the goal determined by Islamic law. As word of Allah contained in the Quran surah *Al-Anbiya* verse 107

which means: "And we did not send you (Muhammad) but as a mercy to all the worlds"⁹. The benefit must be realized in order to protect the soul, mind, religion, ancestry, and human property. So one containing guards on the matter may be referred to as a step towards the welfare and upholding Islamic marriage law is an effort to preserve and purification of religion, life preserving human generations, purifying descent and so on.

If the recording is intended to bring order marriages of Muslims, then it is obviously going to achieve the benefit of the people of Islam itself, because it is of course the provisions of the article have a clear legal basis, so that the provisions of the article should be considered as fiqh new to Muslims Indonesia.

Only in reality there are those who carry out the practice of marriage under the hand, and that marriages conducted outside the knowledge of the authorized officer (Officer Registrar of Marriage). Because marriage is not recorded in the Office of Religious Affairs, the husband and wife do not get a valid marriage certificate.

And children born today are also not recognized state bias being the child of the husband and wife. Due to their status before the formal law is not husband and wife. It is necessary to study in ILO (Islamic Law Office) District of Trenggalek and Religious Courts Terri as government agencies relating to the implementation. ILO (Islamic Law Office) in Indonesia is said as Kantor Urusan Agama (ILO).

Compilation of Islamic Law is an affirmation and also a description of the provisions of article 2 of the Marriage Law No. 1 of 1974. Th paragraph

Marriage is legal, if done according to the law of each religion and kepercayaan it. Paragraph

Every marriage is recorded in accordance with the legislation in force, There are two opinions on the interpretation of Article 2 of the Marriage Act:

1. There is a tendency of some legal scholars who want to separate the interpretation of article 2, paragraph (1) with article 2, paragraph (2), that the marriage is valid if it is done according to the law of each religion and kepercayaan that, while registration is the administrative requirements have been done or not, does not constitute a defect or more pointedly did not cause the validity of the marriage.

2. On the other hand there is the tendency of the legal scholars who interpret article 2, paragraph (1) and article 2, paragraph (2) was not only from the point of juridical solely that only marriage, but also linked sociologically they think of article 2, paragraph (1) and article 2, paragraph (2) it can not be separated in such a way, but it is considered as a continuum like a thread with Kulin and intertwined into one, if that one off then the others reduced keILOtanya even disappear altogether.

Second opinions in addition to legal interpretation and sociology was associated also with the legal consequences of a marriage, because it is not called marriage if there are no legal consequences. The legal consequences of marriage among others:

1. Being lawful sexual relations between husband and wife

2. Mahr (dowry) belong to the wife

3. The emergence of the rights and obligations of conjugal

4. Children who are born from the marriage becomes a legitimate child

5. Spouses are obliged to maintain and educate their children

6. Mr entitled to be a marriage of their daughter's guardian If the recording is intended to bring order marriages of Muslims, then it is obviously going to achieve the benefit of the people of Islam itself, because it is of course the provisions of the article have a clear legal basis, so that the provisions of the article should be considered as fiqh new to Muslims Indonesia.

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3. The emergence of the rights and obligations of conjugal
4. Children who are born from the marriage becomes a legitimate child
5. Spouses are obliged to maintain and educate their children

Mr entitled to be a marriage of their daughter's guardian

Entitled to inherit each other between husband and wife, as well as children born of the marriage is entitled to inherit each other with their parents

When one spouse dies, then one of them is entitled to be guardian pengawas, either against property or against their children, unless their rights lawfully revoked by the court.

When taken first interpretation then any marriage performed according to religious law and kepercayaan each is valid. Such articles are efforts to actualize the Islamic society marriage order. Although in the Marriage Law No. 1 Th 1974 regarding registration of marriages only regulated in one paragraph, but actually the problem of recording is very dominant. It would seem clear procedures regarding marriage itself, which are related to the recording. It is no exaggeration if there are temporary legal experts who put him as the administrative requirements that also determine whether it is a marriage ,

The existence of Article 7 Compilation of Islamic Law can not be separated by chapters 5 and 6 Compilation of Islamic Law. The third chapter is an attempt to actualize order Islamic marriage, by recording every marriage. Registration of marriage is the same as recording important events in one's life, such as birth, death, expressed in paperwork, the official deed which is also contained in the registration list.

Article 7 Compilation of Islamic Law are:

Marriage can only be proved by a marriage certificate made by the Registrar of Marriage Officer.

In the case of marriage can not be proved with a marriage certificate can be submitted ithbat illegitimate Religious Courts.

Ithbat marriage that can be submitted to the Religious Court on matters pertaining to:

- Their marriage in order to finalize divorce
- The loss of a marriage certificate
- Their legitimate doubts about whether or not one of the conditions of marriage
- Their marriages taking place in sebelum the enactment of Law No. 1 Th 1974

Marriages performed by those who do not have a marriage impediment according to Law No. 1 of 1974 Th.

Istbat entitled to apply for a marriage is the husband or wife, their children, guardian of marriage or marriage parties concerned with it.

Marriage certificate is an authentic proof of a marriage that has merit as a legal guarantee if the husband or wife does an act in defiance. Marriage certificate is also useful to prove the validity of child marriage. If legal remedies can not be proved by the deed. Thus the registration of marriage is an obligation for those who will enter into marriage.

The filing of the marriage ithbat unacceptable on matters relating to:

- Their marriage in the context of a divorce settlement
- The loss of a marriage certificate
- Their legitimate doubts about whether or not one of the conditions of marriage
- Their marriage that occurred prior to the enactment of Law No. 1 Th 1974

Marriages performed by those who do not have a marriage impediment according to Law No. 1 of 1974 Th.

So cases require evidence of their marriage can not be proven with a marriage certificate or not, or who have not received ithbat determination of the Religious Court.

METHOD

Types of research

This type of research is in use is a field research (field research) is to go directly to the area which is the object of research.

Research sites

This research was conducted at ILO District of Trenggalek and Religious Courts Trenggalek. Selecting this institution as an object of study since they are a special place in the practice of the implementation of article 5, 6, and 7 Compilation of Islamic Law.

Data source

- Data of library.
- Data of field.

4) Data collection techniques.

The data in this study need to be explored through the following efforts:

a. The interview is a conversation with a purpose.

b. Documentation is divulging

c. Techniques of data collection by citing data such as documents those are associated with basic research areas and existing problems.

Focus is on Any benefit that is contained in chapter 5, and 6 Compilation of Islamic Law for the people who recorded at ILO a marriage District of Trenggalek? And How does the application of Article 7 Compilation of Islamic law in the Religious Court in Trenggalek District?

III. RESULT AND DISCUSSION

As mentioned earlier there is a chapter, chapter 5 and 6 Compilation of Islamic Law which contains additional rules in Islamic marriage laws. Additional rules in the article is about marriage documentation and implementation before and under the supervision of the Registrar of Marriage Officer. Which means that the implementation of article 5 and 6 Compilation of Islamic Law is ILO as Officer Registrar of Marriage.

Next will be explained about the implementation of article 5 and 6 Compilation of Islamic Law at ILO District of Trenggalek, in 2017 as research samples to facilitate researchers in conducting the research process. From interviews with Drs Afif as the Head of the District ILO Terri found in 2017 in the District Terri ILO no more than 1500 marriages took place in the presence and under the supervision of the District Officer Marriage Registrar Trenggalek.

After the registration of the marriage registrar service official check out the terms of the bride and groom. Until this time can not be known with certainty whether all marriages taking place in all regions of the District ILO Terri already recorded all or not.

Marriage Registrar employee only supervise and record the marriage is registered in the region remit by those who would carry out the marriage. And marriages conducted outside the Marriage Registrar Employee Monitoring can be categorized as marriage is not legal according to the law, before getting approval from the local Islamic Court. Marriages conducted outside Employee Monitoring Marriage Registrar does not have the force of law. If a day's got a problem that requires them to have written evidence on the marriage then in this case the VAT and prosecutorial Religion cannot do anything, because the law requires real evidence.

However, although there are some institutions that deal on the procedure and implementation of the marriage in this case the Registrar of Marriage

Employees domiciled in ILO, apparently in District Terri there are marriages performed out of control Employees Marriage Registrars. According to the results of our interviews with some of the perpetrators of marriage under the hand, This happens for several reasons, including:

Anyone want to polygamy, but did not get permission from the first wife, for most men who want to practice polygamy but as one requirement according to the Act difficult to be met, there must be permission from his wife earlier, then they choose perpetuate Marriage without recording to local ILO ,

There are not getting parental permission. For those who do not receive parental permission of the bride, they choose to marry under hand without having administrative difficulties and they are usually married by another trustee or scholars.

There are not yet ready to bear the status of the husband or wife. For those who are still in school or in bonds with a job that requires the status of singles then they delay their marriages registered.

There is reasonable to avoid sin, those who are age immature to foster home in full and it can no longer resist the passions and worries fall into sin.

Marriages are not recorded as it should according to the law and applicable law in a society called marriage under hand. Although the marriage under the hands of a marital breakdown the most good, but according to Law No.1 / 1974 does not authorize the marriage. Because as good citizens, we are required to comply with the applicable Law.

In the Act, a marriage under the hand still equated with those who have sex outside marriage, even if it is born a child of that relationship, the child in the eyes of the law is the child of a relationship outside of marriage, and the birth certificate cannot be written nasab his father, but only nasab her mother. And juridical means have broken trust with his father and also broke relations with his father's inheritance.

Biological and religions such children it is a legitimate child. Besides the implementation of the registration of marriage is also in anticipation of where is needed dealing with official institutions courts, for example, if in the future one of the spouses deny marriage or denial that appears when dividing the estate among the possessions of the heirs and the law required written evidence, The administrative difficulties experienced by those who perform marriages under the hand by Mr. Saidi (actor marriage under the hand) are:

Difficulty taking care of family cards, because they take care of the family card in there should be a clear status

Difficulty in taking care certificates of children born from the relationship, as in the manufacture of child's birth certificate is needed proof of the parents' marriage certificate marriage

Though now an indispensable presence certificates for various purposes, such as school entry list, Governing Terms administrasi entered PNS, marriage requirements. According to the father as the head of ILO Wicaksono District of Trenggalek in addition to the difficulties listed above, marriage under the hand will greatly impact the wife and the children were born, including:

Regarding the rights of the wife before the law, that is when there is a denial of the husband on the wife of the existence of a marriage, the right to livelihood of the husband and wife will be difficult for the court demanded upfront if there is a denial of living by the husband against wife. Regarding the right to inherit each other, when the denial of the division of inheritance then pihar wife will be difficult to prosecute.

About the status of children and the rights of children born out of wedlock relationship under the hand of justice. Status of children born out of wedlock relationship under the hand of religion is legitimate and nasab child to his father, but in the eyes of the law this child is a child born of a relationship that is not valid and his nasab in mother alone. From nasab status of which would be devastating for guardianship and inheritance. Children born out of marriage under the hands of biologically having custody of the father but in the eyes of the law this child does not have any relationship with his father, because there is no evidence of a marriage between his father and mother, it also means that the father and son also not entitled to inherit each other.

It will be much different from those who do the marriage in front of and under the supervision of employees marriage registrar. Those who hold marriage in front of and under the supervision of the Registrar of Marriage Employees will receive:

- Legal recognition of the status of marriage
- Obtain written proof of marriage or marriage certificate
- Obtain legal recognition of the status of children born
- Absence of legal protection which would put any conjugal right
- Avoid defamation of public
- Avoid the denial of marriage by either party
- Avoid the arbitrariness of one of the parties either husband or wife
- Avoiding any denial of the division of inheritance And many more benefit of evidence of a marriage, both for the horse and for descendants later. This is reinforced by the nature of the registration /

registration of marriage among others can be put forward:

So that there is legal certainty in the presence of strong evidence for concern regarding marriage, so that makes it easier to make contact with third parties

To be more secure public order in family relations in accordance with the moral and ethics upheld by society and the State

In order for the provisions of the Act Rule aimed at fostering social improvement (social reform) is more effective

In order for the values and religious norms and other public interests in accordance with the basis of Pancasila state more enforceable.

Although there is still the practice of marriage under the hand that occurred in the District of Trenggalek this is not the fault of the local ILO, but has become the will is concerned. Thus ILO District of Trenggalek has implemented Articles 5 and 6 Compilation of Islamic Law in accordance with the applicable rules, although in fact there are still some people who practice under the hand of marriage.

Compilation of Islamic Law is expected to become a standard book that leads into the uniform environment of religious courts in deciding a case. However, the judge still expected to effort that his decision is not contrary to the spirit of justice. As it stated in Article 229 Compilation of Islamic Law as follows:

"The judge in settling cases that posed to him shall observe intently legal values that live in the community, so decision in accordance with a sense of justice".

Books Compilation of Islamic Law should be viewed as merely a book of standards and uniform for whole Indonesian judges in determining *ijtihad* (effort), so it should not be disabling to think the judges. Religious Court judges Trenggalek in resolving the incoming cases, in addition to using the Compilation of Islamic Law should also perform *ijtihad* by tracing opinion among the scholars' previous books contained in the yolk.

Religious Court Trenggalek within one year receive more than 2498 cases of 12 types of cases. Where in finishing always require proof of marriage, for example divorce cases divorce, contested divorce, joint property, child custody, permission for polygamy, inheritance and so forth. Though the marriage can only be proved by a marriage certificate in the sense if the marriage can not be proved with a marriage certificate, then the incoming cases are not necessarily bias continued and decided before their marriage ithbat / determination or endorsement of authorities, namely the Islamic Court.

For more details can be seen in the table below:

The types of cases that go to the Religious Courts Trenggalek and relation to whether or against the marriage certificate as a proof in court.

No.	type of Case	Need / No Marriage Certificate
1	dispensation marriage	No
2	permits polygamy	Yes
3	Endorsement marriage	No
4	divorce divorce	Yes
5	contested divorce	Yes
6	community property	Yes
7	Wali adlol	No
8	Inheritance	Yes
9	autumn guardianship	Yes
10	The appointment of another person as trustee by court	Yes
11	The origin of the child	Yes
12	change status	Yes

From the table above there are 12 types of cases, then we will see whether or not the percentage of the marriage certificate as a proof in court.

No.	How to completion	F	%
1	Need a marriage certificate	9	75
2	Do not need a marriage certificate	3	25
	Amount	30	100

From the above table it can be seen that 75% of the 12 types of cases that go to the Religious Court Trenggalek require a marriage certificate as evidence in court. If the marriage certificate can not be shown in the sense that no, it is entitled to apply for a marriage ithbat Religious Court to obtain attestation determination of marriage. Therefore, a marriage certificate is absolutely necessary for the parties concerned so that they do not experience

anything upfront barriers court resulting in the absence of a marriage certificate.

As among the 12 types of cases that go to the Religious Court Trenggalek there are 9 cases or 75% of them require their marriage certificate as a proof in court, because it requires proof of the existence of a marriage 9 types of cases are:

permission for polygamy
 divorce divorce
 contested divorce
 community property
 inheritance
 guardianship
 the appointment of another person as trustee by court
 the origin of the child
 change status

This above has shown that the Religious Court Trenggalek has applied the provisions of Article 7 Compilation of Islamic Law subsection (1) of proving their marriage with a marriage certificate made by the Registrar of Marriage Officer.

As if it is seen from the number of cases to Religious Courts Trenggalek in 2017 are as follows:

2017 cases entered in 2498 with the details:

No.	type of Case	amount
1	dispensation marriage	94
2	permits polygamy	4
3	Endorsement marriage	19
4	divorce divorce	506

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5	contested divorce	1088
6	community property	6
7	Wali adlol	9
8	Inheritance	1
9	autumn guardianship	20
10	The appointment of another person as trustee by court	6
11	The origin of the child	11
12	change status	734

The above table shows that in 2017 there were 2498 cases to Religious Courts Trenggalek and most require a marriage certificate as evidence in court proceedings. Of the 2498 cases to Religious Courts Trenggalek highest number of cases that are contested divorce cases and divorce divorce, namely 506 and 1088 divorce cases divorce cases divorce is final. Submission of contested divorce cases and divorce cases divorce to the religious court Trenggalek will not be accepted if perkawinanya status can not be proved with a marriage certificate for the marriage certificate for the husband and wife is a legal guarantee for the existence perkawinanya status.

Of the 2498 cases to Religious Courts Trenggalek only cases in 2434 dropped out by the court. The remaining 12 cases withdrawn, rejected 21 cases, 8 cases and 13 cases fall stricken from the register.

Of the 2498 cases entered in the Court Trenggalek Agama no evidence in 2376 that require a marriage certificate in the trial are:

- a. Permits polygamy : 4
- b. divorce divorce : 506
- c. contested divorce : 1088
- d. community property : 6
- e. inheritance : 1
- f. penunjun others as trustees: 6
- g. the origin of a child : 11
- h. status changes : 734

From all the above table shows that Article 7 Compilation of Islamic law was actually implemented in the Religious Court Trenggalek. It can be seen from the 12 types of cases that go to Religion office of Trenggalek 9 or 75% of which types of cases require a marriage certificate as evidence in court proceedings. Since 9 types of cases are related to the presence of one's marriage, in which marriage can only be proved by a marriage certificate (in accordance with the provisions of Article 7 paragraph (1) Compilation of Islamic Law).

However, if the marriage can not be proved with a marriage certificate, it can be filed in the Religious illegitimate ithbat Trenggalek (in accordance with the provisions of Article 7 paragraph (2) Compilation of Islamic Law). This was proven in 2017 there were 19 ithbat marriage petition to the Court of the District of Religious Trenggalek.

IV: CONCLUSION

There are benefits of article 5, 6 and 7 compilation of Islamic Law. It is guaranteed in order marriage for Islamic society with syar'i rules and laws exist. It includes masalah hajiyyah, because it is a more complete implementation of masalah daruriyah, namely the requirement of marriage, with a must to record on all marriage done by Employees Registrar of Marriage and in every implementation must be in front of and under its supervision. it minimizes the possibility of difficulties that will occur, where the problem requires a marriage certificate. It is widely experienced by couple spouses and other interested parties. In article 5 and 6 Compilation of Islamic Law which contains about the necessity for registration of marriage and implemented under the supervision and before the marriage registrar employee has been made possible in ILO District of Trenggalek in accordance with the rules and regulations. Where direct benefits can be realized and can be perceived by the public, which is on the order guarantee marriage. Because it has been done before and under the supervision of the District ILO employees marriage registrar Terri previous marriage execution must notify and register the marriage will done by the bride or her parents or representatives. It will be able to indicate whether the procedures and requirements of marriage it is consistent with applicable law or not. In article 5 and 6 Compilation of Islamic Law must've there are benefits for the community, including: Legal recognition of the status of marriage, Obtain written proof of marriage in marriage certificate, Obtain legal recognition of the status of children born, Absence of legal protection which would put any conjugal rights, Avoid defamation of public, Avoid the denial of marriage by either party, Avoid the arbitrariness of one of the parties either husband or wife and Avoiding any denial of the division of inheritance.

In Article 7 Compilation of Islamic Law in its implementation which is a series of chapters 5 and 6 Compilation of Islamic law has been applied in trenggalek.

This can be seen in its application in Trenggalak District Religious Court that the settlement which requires proof of the existence of a marriage. In this case the Religious Court Trenggalek will believe that have implemented a marriage, if the person concerned can show evidence of authentic marriage made by Officer Registrar of Marriage, the Marriage Certificate. And marriage can not be proved by Certificate, can propose marriage to the Religious Courts ithbat Trenggalek. Then the Religious Court Trenggalek will provide validation determination of marriage, with the record if the marriage was really there are no obstructions marriages as the existing provisions.

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Determining the Qiblah Direction of the Graves (Public Perceptions in Determining the Direction of Qiblah of the Graves in Ngunut-Tulungagung)

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Abstract-This research is conducted based on an existing phenomenon in Ngunut-Tulungagung that the condition of the graves in the cemetery are not tidy and not facing qiblah perfectly. So it attracts the author's attention to examine the accuracy of the qiblah direction of the cemetery, and also the public's understanding toward the direction of qiblah, especially the direction of qiblah in the cemetery. The focus of this study is to answer three questions, there are: 1) How is the accuracy of the qiblah of the cemetery in Ngunut-Tulungagung? 2) What is the method used by the grave diggers in determining the direction of qiblah of the cemetery in Ngunut-Tulungagung? 3) What is the perception of the community regarding to the concept of qiblah in the cemetery?. This is qualitative research model with descriptive associative research. The data are collected by using observation, interview, and documentation. The results are: 1) The accuracy of qiblah direction of the cemetery in Ngunut according to the calculation using Cotg B formula, the result of the qiblah direction value is 65o 36 '(North-West), in general. It means that the graves in Ngunut are not perfectly facing the real qiblah.

In determining the qiblah, the grave diggers use estimation (Taqrîbi) and likened with the existing tomb that had been there before. 3) The concept of qiblah for religious leaders, the public, and the authorities are almost the same, in essence they know that facing janazah towards qiblah is the command of the syariah.

Keyword: qibla, grave, janazah.

I. INTRODUCTION

According to *Fiqh*, there are some rules that must be followed in taking care the janazah. That rules must be obeyed by those who follow the Prophet Muhammad. There are many guidelines, and one of them is directing *janazah* to qiblah.[1] The researcher tries to emphasize that the case of facing the qiblah is not a small and simple thing. In the Qur'an the word "qiblah" is repeated four times, and the command to face *qiblah* is three times. [2] We can say that Allah SWT and His Messenger paid special attention to the direction of *qiblah*. At least, as moslems, we must also pay attention to it.

As in shalat fardhu, facing *qiblah* is one of requirements, except for the persons under certain

conditions such as in severe illness. [3] According to the researchers, this is also applied in every funeral of muslim janazah. Moreover, the majority of Indonesian are following of *mazhab Asy-Syafi'i* which states that directing *janazah* towards *qiblah* is an obligation.

However, there are many people who still think that determining the direction of *qiblah* in the burial area is something easy. They assume that it is just recommendation, not an obligation. Another effect is many mosque are not facing the real qiblah perfectly.

It also what happens in Ngunut-Tulungagung. [4] The cemeteries in the area are still seem untidy. It happens because of there is no direction to point the *qiblah* correctly. So it can be concluded that the grave digger digging the grave to face qiblah is only by estimation. Some of the caretakers and grave diggers admitted that to know the direction of qiblah in the grave excavation, they used the *qiblah* direction from the nearest mosque. But for the cemetery which far away from the mosque, they just follow the direction of the *qiblah* from the tomb that had been there before. That is why the researcher conduct this research.

Qaidah in determining the direction of qiblah requires a special pattern that need to be learned. In history, the way of determining the direction of *qiblah* in Indonesia develops in accordance with the development of science owned by Indonesian moslems society. The fact, Kauman-Yogyakarta Great Mosque at the time of KH. Ahmad Dahlan used *bancet* or *miqyas* or *istiwa'* stick, *rubu' al-mujayyab*, compass, and other tools. In addition, the calculations are used is develop, both on data coordinates and the systems of measurement. [5]

Several years ago, the measurement of *qiblah* direction of several mosques conducted by a measuring team from IAIN Tulungagung which consists of several lecturers and students. The *qiblah* direction measurement uses simple tools such as a compass, 360° arcs and to determine the latitude and longitude coordinates are by using the Google Earth app and any other tools. The results obtained are

really unpredictable. Most of mosques in the Tulungagung are not facing the *qiblah* correctly. Some even faces to the true west and true south direction. [6]

Another thing that researchers consider is that the discussion of *qiblah* direction in science of *falaq* identically and only limited to the mosque or *musaala* just as the main object. The writer rarely find an expert of *falaq* teach his students to measure the direction of *qiblah* of the burial area, even in our various books about science of *falaq*, both of modern and classical that is often studied by the general public. There are no materials presented in the training or on the *falaq* seminar that discussed the *qiblah* of the grave. If there are examples of *qiblah* direction measurements, it can be ascertained that the example is mosque A or *musaala* B and if there is a verification of *qiblah* direction, the checking is done only by following the mosques, especially the largest or old-fashioned and haunted ones. That is why the researcher needs to examine, to learn how could the calculation of *qiblah* direction can be applied in measuring the *qiblah* burial area. There are no many number of *falaq* experts in our society who really implementing one of this *sunnah*.

It is time for Muslims to implement, not just understanding the extent to which urgency of measurement *qiblah* direction of burial area according to the law of Islam. In terms of determining the direction of *qiblah* in this cemetery will be connected with the caretaker or grave diggers who who always prepare the grave. Furthermore, the team of *Hisab* and *rukyat* experts at the sub-district level under the Office of Religious Affairs of Ngunut. If the reader passes the cemetery in Ngunut, the reader will find that most of the condition of the layout of the tomb are not tidy, this may be caused by the determination of *qiblah* direction is not true. That is why the researcher need to conduct this research in order to find the facts and truths in the determination of *qiblah* direction at the burial place in Ngunut - Tulungagung. Simultaneously this research can be the evaluation and guidance of the caretaker or grave diggers in determining the direction of *qiblah* on grave excavation. Focus of the research is how the accuracy of the *qiblah* direction in cemetery of Ngunut Tulungagung? and what method used by the grave diggers in determining the direction of *qiblah* of the cemetery in Ngunut - Tulungagung? and how the public perception related to the understanding toward the concept of *qiblah* of the cemetery?

Ka'bah is the Muslim *qiblah* and all *madzhab* agree to face the Ka'bah appropriately for everyone who can see directly to the Ka'ba (when doing *Shalah*). The difference occurs when *qiblah* for people who far away from the *Kaaba* and they cannot see it directly. [7] The most of Indonesian muslim follows *Imam Asy-Syafi'i*, therefore the researcher will explain *qiblah* mostly according to *Imam asy-Syafi'i* with also the description of *qiblah* according to other

Imams. Even though the majority are *Syafi'i*, there are still a small number who follow the other Imams. He (Imam ash-Shafi'i) obliges all moslems to face the *qiblah* (Ka'ba) when *shalat fardu* and *sunnah*, *janazah*, *Sujud Syahwi*, and *sujud tilawah*. (al-Baqarah : 150) and some *hadiths*. [8]

From the various literature, it can be concluded that the expert of Islam are divided into two groups related in solving this problems. First, the position of *janazah* must face toward *qiblah*, the Ka'bah in Masjid Al-haram, Makkah. This opinion is supported by the most of *Syafi'i*'s follower. [9] The basis of the foundation is the *hadith* narrated by imam Abu Daud and At-Tirmizi, which means as follows: "*qiblah* for the living is *qiblah* for the dead". [10] The second reason is the funeral procession of Rasulullah SAW, that faced *qiblah*.

Secondly, the 'ulama' of Malikiyyah argue that that is only *sunnah*, not an obligation. [11] According to Malikiyyah, there is no direct orders in the texts of the Qur'an or *hadith*. They who agree with the Malikiyyah uses one of the Prophet's *hadith* as the legal basis, narrated by Imam Ibn Majah and al-Tirmidhi: "From Abu Hurairah said, Rasulullah SAW said: —What is between East and West is *Qiblah* "(Narrated by Ibn Majah and AlTirmidhi)

The Ulama of Asy-syafiah said:

The person who *ijtihad* in determining the direction of *qiblah* and if the *ijtihad* is wrong, then the *ijtihad* must be repeated, in order to get the right direction.

People who are in Makkah but do not see the Kaaba directly or people outside of Makkah, must be serious in determining the direction of *qiblah*.

The opinion of the blind person is invalid.

The *qiblah* direction is acceptable if the person who pronounce is a person who is not blind and he never lies so that his word can be trusted.

The *qiblah* from the *musyik* can not be accepted

A person is allowed to face in any direction in a case of fear. [12]

According to Fiqh of *five mazhab* (Imam Hambali, Imam Malik, Imam ash-Syafi'i, Imam Hanafi and Imam Abu Ja'far): Imam Hanafi, Hambali, Maliki and some Imam groups explain the *qiblah* of people far from the Ka'bah is the direction of the Kaaba building. Imam Hanafi and Hambali say that if one does not find the direction perfectly, then he can face on any direction. [13]

II. METHOD

It is qualitative research, that the main point is to understand the phenomenon. It can be a behavior, perception, motivation, action, etc.[20] This qualitative research is explored from social environment or social phenomena that consist of the actors, events, places, and times. The social

background is described in such a way that in conducting qualitative research it develops the basic question: what and how it happened; who was involved; when did it happen; where it happened. To obtain the results of a trusted qualitative research, it still needs some requirements that must be followed as a qualitative approach, ranging from data requirements, methods or data collection, data management, and analysis. [21]

The method of collecting data are:

1. Observation

Observation method is a method of collecting data by conducting observations accompanied by 'recording' the situation or behavior as the target of research. This observation is conducted to obtain data description to support in completing this research. It observes human behavior, work processes, natural phenomena. [24] Thus, the researchers must make observations as well as recording of the phenomenon to get the information. In this study, observation method is used to collect data related to the determination of *qiblah* direction of the graves.

2. Interview

An interview is a form of communication between two people, involving someone who wants to obtain information from another by asking questions, based on a particular purpose. [25] Interviews conducted in this qualitative research is an interview that is open and in-depth which aims to collect information or data that exist in the community as the object of research.

The target of interview in this study is the community, especially the grave diggers in the Ngunut-Tulungagung and some local religious expert there. This interview was conducted to obtain information about everything related to the research problems, especially about determining the direction of *qiblah* on the funeral as well as its accuracy.

3. Documentation

Documentation that used as a source of information is such as photographs that assisted by camera tools, research reports, related books, and other supporting written data. The researcher uses documentation method to administer the interview data. It is used to prove that the researcher has actually conducted an interview with the community of Ngunut-Tulungagung.

RESULT and DISCUSSION

The research's result are presented as follows:

The accuracy of the *qiblah* direction of the cemetery in the Ngunut according to the calculation result using the Cotg B formula, the result of the *qiblah* direction in general is 65° 36' drawn from the true north direction to the true west. It means that the graves in Ngunut Sub-district are not completely facing the real *qiblah*. This is because the cemetery is so narrow that the grave is only limited to the estimator of the

caretaker and also adapted to the graves around it without taking seriously the direction of the real *qiblah*.

The method in determining the direction of *qiblah* at the cemetery by grave diggers is only by estimating (commonly known as *taqribi* method), by making the grave side by side with other graves, so that the direction of *qiblah* grave created automatically following the other graves. In addition, the caretaker and grave diggers use *qiblah* mosque as a guide to determine the direction of *qiblah* for the cemetery close to the mosque. This is done because of lack of scientific knowledge about the direction of *qiblah*. So to determine the direction of *qiblah* is only by estimating and following the customs of the society in burying *janazah*.

The concept of *qiblah* by the public perception such as the cemetery caretaker, the religious figure, and the authoritative institution are almost the same, in essence they know that confronting *janazah* towards *qiblah* is the command of *syari'ah*.

Discussion

In Islam, facing the direction of *qiblah* (Ka'bah located in Masjid al-haram) is a demand of *shari'ah* in performing certain worship. It must also be applied in laying the *jenazah*. As the writer discuss above, in this case there are differences in *ijtihad*, some express obligatory and some argue *sunnah*. It is also a *sunnah* when *pray*, *dhikr*, recite the Qur'an, *adzan*, slaughtering animals and so on.

The data used in determining the direction of *qiblah* is the number of latitude and longitude of the place. Basically the method of measurement of direction is only divided into two kinds, by determining Azimuth Qiblah and with Rasdul Qiblah:

1. Azimuth Qiblah

Azimuth according to Robert Baker, (1958: 8) which states that the azimuth is the angular distance measured from the north to the east along the horizon that starts from 0° to 260°. [14] This method (Azimuth Qiblah) takes into account the large angle of *qiblah* on the globe. When you want to know the direction of *qiblah* then automatically the calculation is to know the direction to the Kaaba in Mecca seen from a place on the surface of the earth.

2. Rashdul Qiblah

Rashdul Qiblah is the decision of the time when the shadow of a sun-exposed object points in the direction of *qiblah*. Rashdul *qiblah* is a method of observing the shadow when the sun's position is above the Kaaba or when the sun is on the path that connects between the Kaaba and a place. [18] This method is divided into two, daily and annual. Daily means we can specify each day with certain calculations. Yearly means we can decide on certain days only.

The Rashdul Qiblah method is the easiest method, everyone can use it and it accurate. As

proposed by Thomas Djamaluddin, an astronomer and astrophysicist from Bandung, this method is the easiest method. Around the date of 27/28 May at 16:18 pm and 15/16 July at 16:27 WIB sun is exactly above the city of Mecca. [19] At that time the visible sun from all corners of the earth can be used as a guide to the location of the Kaaba. Similarly, the shadow of an upright object at that time can also be a determinant in the direction of an accurate *qibla*.

IV. CONCLUSION

Facing the direction of qiblah (Ka'bah located in Masjid al-haram) is a demand of shari'ah in performing certain worship, it must be applied in laying the jenazah. And what can be seen in Ngunut is not a good example, so by publishing this research, the writer hopes that it can change the grave diggers' perception, generally for all caretaker, stakeholder, and Religious affair in Tulungagung.

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Marriage of Different Religions and Nationalities Indonesia's Positive and Islamic Law

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Abstract—Marriage is not only the spiritual bond between husband and wife, but also the real physical bond. The impact of the applied rules by the country on marriage makes the physical bond provable. One of the evidences is by using marriage certificate. The problem is when the marriage is done between the followers of different religion and different nationality. Generally, the legal events such as the birth of child and marriage must be registered as the form of legality assurance. The principles of legality assurance in registering marriage of different religion and different nationality haven't been explicit. Therefore, it is necessary to conduct a deep investigation and research to solve this problem. The research type used in is Library research and content analysis technique. Some laws concerning with the problems are needed. In fulfilling the legality assurance, if it is viewed from the positive law and Islamic law, the marriage is permitted as long as the certain restriction in the religion is took note of.

Key Word: marriage, different religion, different country,

I. INTRODUCTION

Now days, marriage is not only spiritual bond without physical evidence, marriage is also legal bond (civil cases) between a man and a woman which can be proved with marriage certificates. The idea of registering marriage first appeared in 1970's. The registering of marriage was done to protect the men and women's rights. In addition, marriage certificate can be used as the written evidence when there are right violations between husbands and wives. In Islam itself, registering marriage is not regulated clearly, but creating new rules isn't contradicted with Islamic law and if it is beneficial, it is still allowed. Actually, registering marriage is the product of individual interpretation and judgment of Muslim intellectuals and muftis of Indonesia.

From the era of Indonesia pre-independence until now, marriage of different religion becomes the continuous problem without being able to stop. It means that marriage of different religion is the

problem which has different legal decrees. In other word, it doesn't have one certain legal reference to solve. The regulation used is also different year by year. The various differences of ethnic group, race, and religion are the main factors besides world globalization flow. The data of marriage of different religion gained by the agency of national law establishment (Badan Pembinaan Hukum Nasional) showed the fluctuation of intensity of marriage of different religion even different country takes place in Indonesia. The result of data collection during 1990 – 2000 showed that there was a fluctuation of the number of marriage of different religion in Yogyakarta province (DIY). In 1980 there were 15 cases of marriage of different religion out of 1000 cases of registered marriage. In 1990 there were 18 cases and 12 cases in 2000. The doers of marriage of different religion are not only with the same religion, but also with different nationality. New problems arise when the marriage is done by the couple with different religion and different nationality. Based on law (UU) number 1 1974 about marriage, marriage with different nationality hasn't gone smoothly, the accommodation of the law in the law hasn't arranged everything concerning with the case. Moreover, the acknowledgement whether marriage of different religion is legal or not still becomes the problem needs to solve in depth. In addition, when the marriage of different religion is conducted by couple with different nationality, the writer needs the deep discussion for the both problems.

Marriage of different religion is the occasion of law conducted by a man and a woman who have different faiths. For instance, Muslim man gets married with non-Muslim woman. This occasion of law can happen between the couple with the same or different nationality. The Muslim Indonesian man can get married with the non-Muslim Australian woman.[1] marriage of different nationality is managed in article 57 law number 1 1974 which

discusses about marriage. While the legal foundation of marriage of different religion is taken from jurisdiction of the decision of Supreme Court number 1400/K/Pdt/1986. Many couples of different religion conducted marriage out of Indonesia, since there is no regulation which arrange the marriage. Marriage of different religion and nationality has more consequences compared to marriage of different religion only. It is because marriage of different religion and nationality involves two different religious laws and two different nation laws (*statue mixta*). The international regulation must be involved to discuss marriage of different religion and nationality. [2]

Discussion about marriage of different religion and nationality involves not only two different religious laws and two different nation laws but also international law which protects the whole regulation of the members of United Nation. Indonesia is one of the members of United Nation. In marriage matter, everybody has private right to be acknowledged such as the right in choosing husband or wife to be who will be the couple later. This right is not allowed to be broken or intimidated. That's why, discussion about marriage of different religion and nationality can't be separated from international law such as *Universal Declaration of Human Rights 1948*.

II. METHOD

The research type used is *Library Research* which consists of systematic identification, documentation analysis involving everything related to the problem that is investigated, and drawing conclusion. The approach used in this research is normative juridical and Islamic law (*syariah approach*).^[3] this approach investigates the legal status of marriage of different religion conducted by Indonesian citizen and foreign citizen in abroad. Data collection method used in this research is documentation. It is done by searching for the data about everything concerning with the main problem in journals, books, newspaper and so on.

The technique used in analyzing the problem is *content analysis*.^[4] content analysis is the research methodology which uses the sets of procedures in it to draw valid conclusion based on a document or book. It also uses *Critical Analysis* which analyzes or discusses deeply about the data obtained to give an assessment also consideration in it. It focuses the legal status of marriage of different religion between the citizens conducted abroad.

III. RESULT AND DISCUSSION

The advance of science and technology give the big impacts on human life. It is easier for human to communicate each other and they can express their feeling of love freely. It is not restricted only between the ethics and religion, but also between two countries. The social intercourse leads the people to

the bond called marriage, marriage of the same religion and different one. [5]

Marriage Of Different Religions

In Indonesia as the country which has complex population, the rate of registered marriage of different religion fluctuates every year. In its survey, the board of national legal establishment revealed that there were numerous rates of marriage of different religion registered in Indonesia. For examples; the marriages of Deddy Deddy Corbuzier and Kalina, Lidya Kanda and Jamal Mirdad, Ira Wibowo and Katon Bagaskara. There is also marriage of different religion conducted abroad such as the marriage of Suhandy (Budhist) and Mayasari (Catholic).

Law number 1 1974 (UU Nomor 1 Tahun 1974) started to be effective in January 2nd 1974, and the government ordinance number 9 1975 as the supporting regulation began to be valid nationally in 1 October 1975 so, everything related to the marriage must refer to the two regulations.^[6] Law number 1 1974 (UU Nomor 1 Tahun 1974) stated that marriage is the physical and spiritual bonds between a man and a woman as a husband and a wife which aims to make happy and everlasting family and household based on Divinity of One God.^[7]

The next article mentioned that marriages can be legal if it is conducted according to the law of each religion and faith.^[8] each marriage is registered based on the valid regulation of law.^[9] there are various meaning interpretations, since many people in the society support marriage of different religion may be conducted. The Supreme Court in its verdict number 1400/K/Pdt/1986 explained that Law number 1 1974 (UU No. 1 Tahun 1974) doesn't include any decisions which forbid marriage due to the different religions. As the decision which has final legal status (*inkrah*), the decision can be used as jurisdiction. In Indonesian legal system, Jurisdiction is one of the sources of law. The Supreme Court with its consideration stated that banning marriage of different religion means being contradicted the article 27 and 29 of 1945 constitution. [10]

Many people think that the process of marriage of different religion in Indonesia is complicated due to the technical problems. they are the KUA (office of religion affair) and civil documentation office (kantor catatan Sipil) officers don't want to give any permission and record the marriage, therefore the people who want to have marriage of different religion will conduct it in other country.^[10] marriage of different religion which is conducted abroad can

involve marriage between two nationalities. In Indonesia, there are three different opinions about marriage of different religion according to Islam. First, marriage of different religion is absolute forbidden (haram). Second opinion stated that marriage of different religion is allowed as long as Muslim men gets married with non-Muslim women, but Muslim women may not get married with non-Muslim men. The last opinion is that marriage of different religion is allowed. The basic legal used to forbid marriage of different religion is QS. Al-Baqarah (221):[11]

"And do not marry polytheist women until they become muslims; for undoubtedly a muslims bondwoman is better than a polytheist woman, although you may like her; and do not give your women in marriage to polytheist men until they accept faith; for undoubtedly a muslim slave is better than a polytheist although you may like him; they invite you towards the fire; and Allah invites towards paradise and forgiveness by His command; and explains His verses to mankind so that they may accept guidance."

Ibnu Abi Mursyid Al Chanawi met Prophet Muhammad SAW to ask for permission to marry a non-moslem woman but very beautiful and highly esteem in the eyes of her people. It is said that when being asked for the permission, Prophet Muhammad SAW didn't give any answers right away. Ibnu Abi Mursyid Al Khanawi asked for mission until twice, however Prophet Muhammad SAW hadn't given any answers. Finally, Prophet Muhammad SAW prayed to God to beg the answers. QS. Al Baqarah verse 221 was released as the answer from God.

Meanwhile, Prof. Dr. M. Quraish Shihab in his book entitled *Wawasan Al- Qur'an Tafsir Tematik Atas Pelbagai Persoalan Umat* (Qur'an concepts thematic interpretation of any followers' problems) explained the details of the above verses. He said that Al-Qur'an forbids explicitly marriage of different religion. In his opinion, QS. Al-Maidah (5) has been replaced by Al- Baqarah (221), he adds his supporting arguments that, disciple Abdullah Ibnu Umar: *"I don't know the bigger polytheism than someone's polytheism which said that his God is Isa or one of the servants of God"*. However, many disciples and scholars of Islam don't support this opinion.[12]proscribing marriage of different religion is also stated in the instruction of Indonesian Islamic Scholar council number 4/MUNAS VII/MUI/8/2005.[13]on the other hand, the decree of instruction of Indonesian Islamic Scholar council is excluded in the Indonesian's constitutional law. The instruction

of Islamic Scholar is untied opinion and advice of Islamic to get legal/ consequence power; it must transgress the legalization process to be a law. In Islamic law, the instruction of Islamic scholar becomes the choice that ties morally only for those who ask the instruction, while for the outsiders, Islamic scholar instruction is only an information.[14]the second view which allows marriage of different religion is based on QS. Al-Maidah (5):[15]

"This day the pure things are made lawful for you; and the food of the people given the Book(s) is lawful for you_ and your food is lawful for them_ and likewise are virtuous Muslim women and the virtuous women from the people who received the Book(s) before you when you give them their bridal money_marrying them, not committing adultery nor as mistresses; and whoever turns a disbeliever after being a Muslim, all his deeds are wasted and he will be among the losers in the Hereafter.."

The second point of view which permits marriage of different religion proposes some conditions was taken from some Islamic scholars' view based on the story of Umar ibn Khatthab r.a which released the policy about marrying holy book expert women. There were some disciples of Muhamad who married holy book expert women such as Utsman ibn _Affan married with Naylah binti al-Qorafisah, Hudhayfah bin Yaman, Thalbah bin _Ubaidillah with a Jewish woman from Syria. [16]the holy book expert women are categorized into two, namely *dzimmi* and *harbi*. Most of Islamic scholars think that marrying a *dzimmi* non-Muslim woman is permitted (makruh), but marrying *aharbi* non-Muslim one is forbidden due to the reason of worrying about the impacts of the marriage such as the shakiness of faith. In addition, Islamic scholars of Syafi'i Mahzab divide non-Muslim women into two, namely the ones who live in *dar al-Islam* and the ones who live in *dar al-Harb*. The non-Muslim women/ holy book expert women who live in *dar al-Islam* may be (makruh) married, while marrying the ones who live in *dar al-Harb* is not allowed (haram).

The division of non-Muslim women above is based on the area. They are *dar al-Islam* and *dar al-Harb*. *Dar al-Harb* is the area in which the population is Muslim, but they are not free in doing their religious service. On the other hand, Islamic law is not applied in *dar al-Harb*, also non-Muslim people (*harbi* unbelievers) declare to fight against Muslim people. The conflicts with Muslim people can't be solved by doing discussion or arbitration. According to fuqahas (fiqh experts), *Dar al-Islam* region is

defined as a peaceful country that has culture which implements Islamic values in daily life. Dar al-Islam also means that the implementation of Islamic values in the country is not only in the form of legislation of law but also the people's deed which reflects Islamic values. by the people. However, in Dar al-Islam, the government doesn't force non-Muslim people to convert to Islam. It is free for non-Muslim people to do religious service according to their faith. Looking at the characteristics above, Indonesia is categorized as Dar al-Islam. Indonesia as the country with five legally confessed religions shows the plurality of religion developing in it. The other factor is that the freedom of doing religious service according to their own faith without any intimidation or disturbance from other religion's followers. [17]the legitimization is on article 28E verse (1) UUD 1945.

The third opinion is that marriage of different religion is allowed by regulating some conditions not only in Islam but also in Christian. It happens in Surakarta region in which the church gives some dispensations for bestowal of blessing of marriage of different religion. Parts of Islamic scholars allow Muslim men marry holy book expert women as stated in Qs. Al-Maidah (5) with the considerations such as husbands has strong faith, and can afford to be responsible to educate their descents so that they are not against Islamic values. Due to various opinions about marriage of different religion, it can be concluded that there is a space for the doers of marriage of different religion to get the right and legal status based on Islamic law.

Marriage Of Different Religion Registration

Article 2 verse (2) states that every marriage is registered based on the regulation of law. The disposition of registration of marriage is arranged in PP No. 9 1975 about the implementation of law number 1 1974 about marriage. Besides, registration of marriage is also arranged in UU No. 23 2006 about demography administration.

The couples of marriage of different religion can have their marriage registered in the office of civil administration as stated in article 35 UU No. 23 2006 about demography administration. Before having the marriage registered, the couples propose the decree from the court which stated that the marriage is allowed and must be registered. Giving the decree of the court which gives permission for registering the marriage is the result of interpretation and judgment or discovering law done by the judges which proposing the justice values. [18]

The registration of marriage has many benefits. It is also the form of legal acknowledgement of the marriage itself. Like the registration of other occasions in life, there are some consequences of legal protection in marriage protection for the sides. From the interpretation of article 2 verse 2 1974 about marriage is that marriage registration does not indicate whether the marriage is legal or not. However, it is the administrative obligation that must be fulfilled when the marriage has been conducted. [19]the legality of the marriage depends on each religion's law, in which there are many debates among the Islamic scholars about marriage of different religions.

The registration of marriage of different religions and nationalities which is conducted in the other country is managed in the office of population affairs and civil administration based on article 35 law number 23 2006 about population administration as changed into law number 24 2014. The judge who makes decisions based on his interpretation has foundation of legal law foundation in law number 1 1974 about marriage which is article 21, the judge has rights to decide whether the marriage is against the law or not. [20]

Recognition Of Different Religious Marriage And Countries

The marriage of different religions and different countries, there are two different aspects and separate arrangement. The aspect of marriage is regulated in marriage constitution, while the various aspects of the state are governed in international civil order. It should be emphasized that the coverage of international civil law is more common and because it is a legal product agreed upon by many countries, its position is above national legislation.

The three chapters relating to this discussion are chapters 16, 17, 18. *Algemene BelPalingen Van Wet Geving* (AB). [21] Chapter 16 regulates the status of personnel and authorities of persons assessed under their national law (*Lex Patrie*).

The legal status of a foreigner should be assessed according to the foreign nation's law. Chapter 17 regulates the status of reality. Against immovable objects apply value according to the place where the object is located (*Lex Resitae*).

chapter 18 regulates the status of the mixture which is a form of legal action. Implementation of such legal action is based on the law in which the action is performed (*Locus Regit Actum*). In the many cases of marriages of religious differences conducted abroad; this article is

appropriate as a basis for the implementation of the law event as according to *statute mixta*

The enactment of this article not only on the marriage of religious differences conducted abroad, but also appropriate for inter-religious and state interfaith marriages.

Many cases of different religious marriages are conducted abroad either with fellow citizens or different countries who get arejection when will record a marriage in a country where one of these people live, an example of the Indonesian state.

Therefore based on constitution number 23 In 2006 the party denied by the civil registry officer as a marriage agency of different religions, may apply for a stipulation in the district court.

The Judge in making a legal decision by applying the principle of reciprocity of international civil law by looking at 3 (three) elements:

The existence of a foreigner or a party is a foreigner;

Place of legal action;

Place of legal action.

Can not by reason there is no rule of law governing (legal vacuum) then the marriage of different religions as well as different countries are rejected.

Because in consideration of the

Supreme Court Decision Number 1400 / K / Pdt 1986 as jurisprudence, it is mentioned that in addition to the absence of laws that regulate, there is a legal vacuum which must be done deep legal.

In its appointment, the Supreme Court of Indonesia granted permission for the perpetrators of religious marriages to registering their marriages in the civil registry.

In the Indonesian national marriage law has not been mentioned in detail about the marriage of different religions as well as different countries. Although in separate chapters there is a discussion about marriage outside Indonesian territory, it is not enough.

In addition to observing the national laws governing marriage, it is also necessary to consider the law as well as other rules on the international civil law that also deals with this chapter.

In keeping with the law in the case of different religious marriages, the use of the lex specialist principle is ruled out for the sake of achieving justice and responsibility.

Due to the flexible nature of the law, it is appropriate to fulfill the right of the parties to the marriage of different religions by Indonesians with foreigners.

Lex superior in this case the 1945 Constitution accommodate the freedom to built family, regulated in Article 28B paragraph (1). Articles 27 and 29 of the 1945 Constitution override Article 8f of marriage law number. 1 /1974. It can be seen in the jurisprudence of the

Supreme Court Decision number 1400 / K / Pdt / 1986.

In addition, other legislation also provides an opportunity for those married to different religious marriages abroad. The constitution number is 23 of 2006 on Population Administration, Article 35 states that for those who marry abroad within 1 (one) year must report the marriage to the Department of Population and Civil Registration.

The principle of *lex loci celebration* used in differences in religious marriage in which the marriage performed is also recognized in Articles 58-59 number 1 / 1974 about marriage. Prof. Wahyono Darmabrata said, there are 4 (four) ways of carrying out different religious marriages.

One of the way to establish marriage in a country that recognizes different religious marriages. This way is more recognized because marriages that take place outside the territory of Indonesia are mentioned in Article 56 of the marriage law 1/1974 about marriage. [22]

For Indonesian men / women who marry the foreign women / men will lose their nationality, they will follow the nationality of the foreigner [23].

The application of the principle reciprocity of the marriage of different religions perceives in Article 56 paragraph (2) of marriage law number 1/1974.

The application of principles as the adoption of article 84 of the civil code law, the marriage taking place outside the territory of an Indonesian State between an Indonesian citizen and a foreign citizen, shall be considered valid if done in accordance with applicable law in the country of marriage.

Using *Lex domicile* when the parties have returned to their home country. Against the perpetrators of different religions and state marriages, the enactment of the law is done where they return. Whether the country of origin of the husband or wife, the use of the law is carry out where they will live. If located in Indonesia, then the *lex domicile* principle applies where the national marriage law applies. The opportunity for those married to religious and state marriages is to register their marriage at the Office of Population and Civil Registry

The ratification of Universal Declaration of Human Rights (DUHAM) by the state of Indonesia is widely used as the basis for their marriage of different religions and the state. The goal is to provide an argument for the legality of their marriage. Its relationship to interfaith and inter-state marriages is a non-use of one of the laws of a single country

Because it is related to the interstate that has different laws, ranging from the legal system to legal products.

Article 57 of UUP 1974 regulates the marriage between countries. Inter-marriage is called a mixed marriage. Article 57 of the 1974 UUP Jo. Article 10 paragraph (1) Human Rights states number 39 /1999 that everyone has the right to form a family and continue the offspring through legal marriage. The consequences of the word 'legitimate' of that article may also be legitimate according to religion and law. Followed by Article 10 paragraph (2) stating that a legal marriage can only take place on the free will of the prospective husband and the future wife, in accordance with the provisions of the legislation. That article is in accordance with Article 6 paragraph (1) of the UUP.

To this problem, regulate the privacy rights of a person so that the selection of a partner is based on each individual. The government as an institution that oversees and represents its citizens at the international level should look objectively, because this issue can not be separated from the subject or individual and belief. The occurrence of *i'tilaf* in the Islamic view of the marriage of different religions still shows an opportunity for those married to different religions to gain recognition both internationally and their respective countries.

Followed by article 10 clause (2) which states that a legal marriage can only take place upon the free will of the future husband and wife are concerned, in line with the law. The Article in accordance with Article 6 clause (1) of the UUP. Related to this case, then it actually regulate the private rights of a person, so that the choice of a partner is based on each individual. The Government as an institution that houses and represents its members at the international level should be looked at objectively, because in this case could not be separated from the subject or individuals and their beliefs. The occurrence of *i'tilaf* in the Islamic view of the interfaith marriage still shows the opportunity for those in interfaith marriage to gain recognition both internationally and each their State.

International Law of Universal Declaration of Human rights (DUHAM) 1948 article 16 clause (1) states that adult male and female with no nationality, the citizenship or religion have the right to marry and found a family. The same position among human beings with each other regardless of citizenship, religion / belief and nationality has the consequence that in the eyes of the law the position is also the same. Other international rules that accommodate individual private rights

are the International Covenant on Civil and Political Rights (ICCPR) 1966. The regulation of the right to convert to religion, freedom of thought is regulated in Article 18 paragraph (1) of ICCPR. On the right to freedom of choice of spouses in Article 16 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979. It is mentioned that the same right to freely choose a wife / husband and to engage in marriage only with their own consent freely and fully. Indonesia has ratified this international rules in the domestic law that regulated in Law no. 7 Year 1984.

IV. CONCLUSION

The marriage of different religions and State according to a positive view of Indonesia is permissible and legitimate. It is supported by the *Algemene Bepalingen van Wetgeving van Wetsvoorstel van Palingen (AB)* which is one of the rules of the applicable international civil litigation in general. The position of international civil law that has been agreed by the various State makes it a law that is generally applicable and is above national law. The marriage of different religions and State because in it there is a private right of the legal subject of different State or statute *mixta*, then in this case the AB applies to all parties bound in the law event. Article 16, 17 and 18 AB applies entirely. The principle of *lex loci celebrationis* and *Locus Regit Actum* regulated in article 18 AB jo. Article 56 of law number 1 year 1974 concerning Marriage.

Some international legislation in which it regulates one's private rights, that are the Universal Declaration of Human Rights (DUHAM) 1948, *International Covenant on Civil and Political Rights (ICCPR)* 1966, *Convention on the elimination of All Forms of Discrimination Against Women (CEDAW)* 1979. *Algemene Bepalingen van Wetgeving van Wetsvoorstel van Palingen (AB)* (*statue mixta*) explained in his articles on legal acts and legal events that occurred not from the State of origin of legal subjects / people. Other articles which mention it are articles 16, 17, and 18 (AB). Article 18 (AB) mentions a mixed status which is a form of legal action. In the case of marriage of different religions and State there is a *statue mixta* between the place where the marriage is held (*lex loci celebrationis*) and the law of each subject (*lex domicile*). Relationship with the right of private and each religion which is believed by the couples of marriage of different religions and State lies in the free right to determine his or future spouse. Freedom of intent is also supported on the basis of international law (CEDAW) Article 16, (UDHR) Article 16, (ICCPR) Article 18. Particular (DUHAM) and (CEDAW) have been ratified by the state of Indonesia, which means that Indonesia as a member of the PBB/United Nations has recognized that there is a private right to be respected and recognized legally. The recognition or legitimacy for

marriage of marriage of different religion and State, is religiously restored to the law of each religion. In Islam, in this case still gives the makruh law for the marriage of different religions and State. While Indonesia's positive law leads to the permissibility, but on certain conditions that are based on each religion. It means, from the two laws are still slightly open the gap of different marriage of religion and the State. As in the jurisprudence of the Supreme Court Number 1400 / K / Pdt / 1986 applies locally to the interfaith marriage. It should be underlined, that the private right (election) is a constitutional right recognized legitimately by international constitutions and regulations.

I'tilaf or legal differences in interpretation QS. Al-Maidah (5) and QS. Al-Baqarah (221) partially allows, makrooh and haram, supported by ijthad the Umar bin Khaththabr.a and ulama' Shafi'i argue that its makruh to marry non-Muslim women becomes a basis in decision-making. The couples of different religions and state marriages are also entitled to free will in determining prospective husband / wife, Article 6 clause (1) of Law no. 1 Year 1974 about marriage, but in this case there are exceptions that Muslim women should not marry non-Muslim men.

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12 Tahun 2006 Tentang Kewarganegaraan

Moderate Of Islam Indonesia Perspective Indonesian Hadith Schoolar

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Abstract-This article examines the views of moderate Indonesian hadith schoolars on several issues of the nation. Indonesian hadith experts understand religious texts based on intellectual experience gained both within and outside the country as well as social experience of interaction with the problems of the nation faced. So that emerged a concept of Islamic teachings that can be accepted by the people of Indonesia who have a friendly karakter against each other. This article uses a qualitative method that focuses on understanding the data by way of classification. Sources of data of this article there are two kinds, namely 1) Literature such as Islam is not only for muslims by Ali Mustafa Yaqub and 2) Media news that contains the response of experts in the hadith of Indonesia on several issues that occur in the community. Then criticized and compared with the perspective of radical groups, so clearly visible character of moderate view of the experts of the hadith of Indonesia. This article supports the opinions of Azra and Eliraz who say the Islamic Nusantara character is a moderate Islam which is also called as inclusive, accommodative and tolerant Islam.

Keywords: *Islam Indonesia; Moderate; Hadith Schoolar.*

I. INTRODUCTION

The phenomenon of Islam in Indonesia becomes an interesting conversation for researchers both domestic and abroad (Azra, 2010), because the population of Muslim communities in Indonesia reaches more than 200 million people and the character of the Muslim community of Indonesia is synonymous with friendly, peaceful and tolerant attitude towards the adherents of religion which is a distinction between the Muslim community of Indonesia and the Muslim community of the Middle East because of differences in conditions and problems faced. This amount makes Indonesia the largest Muslim country in the Islamic world, as 88.7 percent of Indonesia's 235 million people are Muslim.

Gayati C. Spivak says that the Indonesian Muslim community can be called a "subaltern" used to be represented by others (Spivak, 1988). Therefore, it takes a firm answer from Indonesian Muslim figures

to show a moderate Indonesian Islamic identity in discourse with the global issues being faced by the Indonesian nation.

II. METHOD

This study uses a sociological approach to see a shift in the tradition of Indonesian Islamic thought in facing modernization strikes. The data were collected by using documentation method (the text study/literature review). The collected data were analysed by using content analysis to capture the substance of the creative tradition of Indonesian Islamic thought, and by critical analysis to criticize the creative tradition of Indonesian Islamic thought. Content analysis is used to analyse initial data, while critical analysis is used to analyse data at an advanced stage.

III. RESULT and DISCUSSION

Tracing the Moderate Islamic Roots in Indonesia

The term Islam Indonesia actually refers to the practice of actualizing the teachings of Islam in Indonesia. Although Indonesian Muslims believe in the Pillars of Faith and run the Pillars of Islam and other worship services similar to Muslims in other countries, it has its own distinction in the actualization of its Islamic social life, which is not found in other countries. The Muslims of Indonesia have a unique system and social tradition by embracing the Ash'ariyya and Maturidiyya theology which is complemented by the Shafi'iyah jurisprudence (Azra, 2010).

While the term moderate Islam actually refers to 3 things, namely 1) religious term triggered by Al-Quran in Surat al-Baqarah: 143 with the phrase "Ummatan Wasathan". 2) The practice of prophets and companions in the early days of the spread of Islam in the Arab world. 3) The spread of Islam in Indonesia by Walisongo to the animist society and the dynamism of the Malay lands. Subsequently inherited by several Islamic organizations in Indonesia such as Nahdhatul Ulama and Muhammadiyah as well as figures born from both organizations. This moderate feature of Indonesian Islam is also called

"Islam in Indonesian Frame" (Ma'arif, 2009) which enters Indonesia with a compromise on culture (Siroj, 2015).

Bernard Lewis, seorang profesor Princeton yang banyak mengkaji Islam menjelaskan bahwa istilah Moderat sudah menjadi bagian sentral masyarakat muslim sejak awal Islam. Seorang muslim sejati memiliki karakter ramah terhadap lingkungannya dan menerima perbedaan. Nabi sendiri menyabdakan —perbedaan umatku adalah bentuk rahmat Tuhan!, yang membentuk karakter awal masyarakat muslim. Hampir tidak pernah ada catatan sejarah yang menggambarkan kekerasan dari umat Islam awal, seperti pembakaran gereja, pembunuhan massal dan lain sebagainya. Namun ketika era moderen hadir, beberapa tindak kekerasan mulai nampak dari sebagian kelompok radikal muslim. Keberadaan kelompok ini mulai diperhitungkan, karena kelompok ini berhasil mendapatkan dukungan dari beberapa pemerintahan dan masyarakat secara besar-besaran. Al-Qaeda dan Taliban adalah beberapa contoh dari kelompok radikal muslim. Kemunculan kelompok ini disebabkan keyakinan mereka akan bahayanya era moderen dengan perang ideologi dan pemikiran, sehingga mereka perlu mengambil langkah preventif untuk menjaga kemurnian ajaran Islam (Lewis, 2010).

Abou Fadl, a moderate Muslim struggle of Moderate from Kuwait offers the division of Islamic groups, Moderat and Puritan. He also rejects the Moderate equation in other terms, such as Modernism, Prograsi and Reform. The term Reformers deserves to be addressed to a group that seeks to overcome the challenge of modernity, while others are reactionary. While the term Prograsi and Reformis is a group that implements a dictatorship like Gamal Abdel Nasser called reformers who are always considered forward thinking. Whereas the liberal way of view does not always move forward, sometimes even back to tradition. Moderate is a group that finds its roots through the Quranic precedent that always encourages Muslim society to be a moderate group, and also through Sunnah precedents depicting the prophet's profile as a moderate person, when faced with two extreme choices, the prophet always chooses the middle way. Moderate Islam also appreciates the achievements of fellow Muslims in the past to be actualized in the modern era (Abou el-Fadl, 2006 and Chafid Wahyudi, 2011).

But on the other hand, the opinion of an Islamologist who expert in the field of Democracy and Islam in Southeast Asia from the Australian National University (ANU), Greg Fealey, mentioned in a discussion at the Muhammadiyah Central Executive Office in 2006 that the term

Moderate Islam only consumes the United States government for enforce anti-terrorism movement. In line with Fealey, Chomsky considers that the term Moderate Islam is a United States engineering that is juxtaposed to those who support US policy and its allies from the Islamic group. Instead the term Terrorist Islam is juxtaposed against those who oppose and threaten US policy and its allies (Chomsky, 2002).

If you speak the root of Islam in Indonesia, then we can not let go of the talk about Walisongo. Walisongo is the bearer of Islamic teachings in the land of Java in the XV-XVI century that has the ability to collaborate on spiritual and secular aspects in spreading Islam. The development of the spread of Islam was not so fast in the Walisongo era, but it was caused by Walisongo's method of spreading that gave space to local traditions along with modifying it into the teachings of Islam that kept true to the principles of Islam, so that this new teaching was slow -pelan received by every layer of society, both noble and common people (Mas'ud, 2006). This era is also referred to as the transition era from Hindu-Javanese to the dawn of Islam. This transition is very unique, because it does not cause a conflict of war at all, as it did in the early days of Islam in the Arab world. Islam present in Indonesia through Walisongo agents never harassed any other beliefs and local culture (Mun'im, 2007).

Walisongo carries the concept of Islamic indigenization that aims to contextualize the teachings of Islam into the culture of the local community by not eliminating the principles and essence of Islamic teachings. This concept actually signifies the glory of the teachings of Islam as a teaching which is related to the context of the times and places, *Ṣāliḥ li Kull Zaman wa Makān*, so that this doctrine can survive for a long time and be accepted by various types and layers of society (Rahmat, 2003 and Wahid, 2015).

In the early days of the arrival of Islam in Indonesia, some domestic and foreign researchers such as Hoessein Djajadiningrat, Clifford Geertz concluded that Islamic teachings and creed that developed in Indonesia were not pure Islam as it developed in Mecca and Egypt at the time, but the already influenced by Indian and Persian mysticism (Djajadiningrat, 1983 and Ma'arif, 2009).

However, this view has received some criticism from other domestic and foreign researchers such as Azyumardi Azra which attests to the intensity and religious intellectual contact between the Middle East and the archipelago in the 17th century, which can illustrate the proximity of local Islamic traditions in Southeast Asia with the Great Tradition in Middle East as

embodied in the primary source of Islamic teachings, namely Al-Qur'an and Hadith (Azra, 2000).

In essence, the cases considered superstitious and mystical by the researchers above can be understood more deeply from the perspective of Islamic Nusantara. Ajengan Haji Hasan Mustapa sees these things from his pedagogical function, ie aspects of moral education, and not just factual truth-hissī (sensory), as pamali / is forbidden to sit on the door that has the meaning of teaching to honor passers-by, sitting on the pillow and considered pamali who have a moral message to appreciate the place where our heads are rested (Baso, 2015).

Likewise, Mark Woodward's view concludes that all the spiritual teachings, traditions and perceptions that exist in the midst of Javanese society derive from the teachings of Islam in the Middle East. Some Javanese religious ceremonies such as selamatan, kalimosodo, grebeg and others are part of Islamic teachings. The doctrine of Kawula Gusti, Dignity of Seven and the wayang tradition also derives from the teachings of Islamic Sufism (Shihab, 1997).

The touch and interconnection between culture and religion is unlikely to be avoided, because the local culture of society is a norm that has been upheld and a role model of local people's lives. Therefore, we can see the different responses of the same religious adherents to the social, cultural and economic conditions at hand.

Moderate values in Islam in Indonesia can not only be found on the earliest sheets of Islamic history in Indonesia and the level of concept of the characters. The moderate value of Indonesian Islam can also be observed from the history of Indonesia since independence until now. On the independence day of Indonesia proclaimed on August 17, 1945, the founders of this nation which consists of nationalists and Muslims reached an agreement to make Indonesia as a unitary state that is not based on Islam and not a secular state. Pancasila which is carried by independence figures is a moderate reflection of Indonesian Islam to unite the vision of Indonesia's mission among fellow children of this nation.

Initially, there was a heated debate after the BPUPKI meeting consisting of a neutral nationalist religious elite, the Muslim Nationalist elite and the Christian Nationalist elite. The Muslim Nationalist Elite proposed Islam as the basis of the State, but with a heightened awareness there finally arose a political compromise between the neutral Nationalist religion and the Muslim Nationalists to agree on the Jakarta Charter (June 22, 1945) containing "seven words": "... with the obligation to observe the Islamic Shari'a for its

adherents "is changed to" Belief in the One and Only "(Ansari, 1981). The seven-word abolition agreement was reached in a short time and was acceptable to all parties in the national interest by the Muslim Nationalist elite such as Moh. Hatta, Ki Bagus Hadikusumo, Teuku Moh. Hasan and other Muslim figures.

At the beginning of the 21st century, Indonesia can make a real contribution from the concept of moderate Islam that has been built in Indonesia. The Indonesian Ministry of Foreign Affairs cooperates with several Islamic organizations. National figures play a role in interreligious and inter-civilization conferences held in Indonesia, Asia-Pacific and Europe. The government also has good relations with Hamas and Fatah leaders to try to resolve the conflict in Palestine. The government is also in contact with the South Thai Muslim leader (Patani) to try to resolve the conflict between the conflicting parties (Azra, 2010).

These moderate values are derived by several community organizations in Indonesia, such as Muhammadiyah, Nahdlatul Ulama (NU), Al-Washliyah, Perti, Mathla'ul Anwar, PUI, Persis, Nahdlatul Wathan, Al-Khairat, DIII and other organizations who was born before Indonesia became independent. These organizations are the fruits born of a harmonious Islamic environment in Indonesia and a noble Islamic insight, so that the style of understanding and movement of da'wah of these organizations also reflects moderation. These organizations are able to maintain the condition of Muslim society in Indonesia to be able to mature themselves in the face of the phenomenon of Islamic awakening in Indonesia, which is usually characterized by the increasing spirit of the practice of religious values, such as the widespread use of the hijab, the increasing number of pilgrims, Islamic educational institutions in the community, to the stage of emergence of public encouragement for the enforcement of shari'ah.

From these phenomena, Eliraz observes that the emergence of the Islamic revival movement in Indonesia is unlike in the Middle East. The rise of Islam in the Middle East is responded by increasing conservatism and political reinforcement of ideology of fundamentalism, even militancy and radicalism. While the rise of Islam in Indonesia is characterized by an increase in attitude and understanding of tolerance. The above Islamic organizations are considered capable of performing the role of mediating role in the rapid and dramatic change of political map in Indonesia, such as the 1999 General Election, the 2004 and 2009 Election and the Presidential Election, to

always be faithful to the agreement of the founders of the nation on the values of Pancasila as the basis of the state Indonesia. Although on several occasions, some of the above organizations have taken part in the Indonesian political arena, but remain nationalist (Eliraz, 2004 and Azra, 2010).

If we want to take an example, then we can see the phenomenon of the emergence of financial institutions labeled sharia. When sharia financial institutions are mushrooming and starting to raise popular society, the above organizations are able to position themselves very well in spreading information or in taking a stand. The phenomenon is realized not be rejected, because it is not contrary to the teachings of Islam, even very in line with the theory of Islamic teachings. But the phenomenon is not necessarily an attempt to undermine the dependence of society on conventional financial institutions, which will lead to chaos in the community. The above organizations are able to control the condition of society by instilling the basic values of tolerance, so that the discourse does not divide society into conservative and apathetic groups.

Muhammadiyah and Nahdlatul Ulama (NU) are examples of the most productive organizations for guarding dialogue among Islamic societies with a view to tackling and resisting radicalism (Taher, 2004). The lure of jihadism with all forms of radical raises concerns about the fading of an Islamic image identical to the concept of *Rahmah li al-'Alamin*.

Not only the community organizations that have the role of escorting moderate Islam in Indonesia, some religious leaders also play a similar role, to maintain the harmonious and peaceful tradition of religious life in Indonesia, such as former Minister of Religious Affairs of the Republic of Indonesia Tarmizi taher who is very active in campaigning Islam Indonesia as an example the actualization of "Ummah Wasat" in every aspect of life in the modern era. This can be seen from Tarmizi Taher's work on "Ummah Wasat" published in Indonesian, Arabic and English (Taher, 1997).

The Role of Indonesian Hadith Expert in Guarding Moderate Islam

Not only religious organizations and national figures who play an active role in escorting Islam in Indonesia remain firmly in moderate character. But the experts of hadith in Indonesia also make a real contribution in some ideas and ideas around the problems that occur in the Indonesian society. Hadith experts are often perceived as a figure who has a conservative view of religion, because it refers

to the nature of his study focused on purifying the teachings that come from the prophet. Even the hadith scholars are often struck with the jurists at the level of understanding the great concepts of religion through the text of the Qur'an and hadith.

However, all of these views can be answered by Indonesian Hadith experts who are able to provide a moderate profile in the midst of modern society life and full of challenges.

Ali Mustafa Yaqub is one of the most famous figures in Indonesia as an expert on the hadith of Indonesia. He is a figure born from the NU organization and had served as Istiqlal Mosque High Priest in the period 2005-2016. He also served as a Board of Sharia Experts in Omaha, USA since 2010. The birth figure of Batang, Central Java in 1952 was familiar with Islamic science at Tebuireng pesantren, Jombang in 1966-1976. Then continued his studies to the Islamic University of Imam Muhammad bin Saud and King Saud University in Riyadh, Saudi Arabia. He graduated with a doctorate at the University of Nizamia, India in 2008. Although his educational background is a study of Islamic Sharia, his works have shown his expertise in the field of hadith, so he earned a professor of hadith in 1998.

Ali Mustafa Yaqub is also known as a religious figure who has Moderate thinking in understanding Islam. Fresh and enlightening ideas have been published in mass media articles and printed books. Among the books born of his thoughts are "Islam is not only for Muslims". This book was written since before he died, but it can only be printed after he died on 28 April 2016. Among the interesting writing in the book that was born from his hand is "Indonesia, between Majority and Minority". He explained the good relationship between Muslim Indonesians as majority party and non-Muslim Indonesian population as minority party. Both are united in a national frame. This then invites the appeal of foreign journalists incorporated in the East and West Center based in Honolulu, Hawaii United States to explore deep-rooted and deeply rooted interreligious patterns and concepts in Indonesia. One of the interesting questions thrown by journalists from Myanmar and India is why Muslim-majority Indonesians can hid side by side with non-Muslims without highlighting the conflict.

Ali Mustafa Yaqub explained that "Islam has a principle in maintaining harmony among religious people. This principle as mentioned in

the Qur'an; lakum punished waliyadin ". This harmonious experience is shown also by the prophet Muhammad through his sabd: actually the Jews from the tribe of Bani 'Auf are one nation with the ummah of Islam. For Jews, their religion and for Muslims, their religion "(Yaqub, 2016).

The two texts of the Qur'an and the hadith are the code of conduct to explain that the principles of harmony and mutual respect are the prime spirit for a majority and minority religion residing in a country with a very diverse population. It means that all adherents of religion must be able to position themselves as a unity that stands equally high and sits equally in the principles of egalitarianism.

In connection with this, Ali Mustafa Yaqub also recounts how the life of the prophet after migrating to the city of Madinah inhabited by five adherents of religion, namely Islam, Jews, Christians, Magi and pagans. All believers live side by side and there is never any conflict between them. The Prophet himself often made trade transactions with a Jewish merchant named Abu Shahr al-Zafri. The Prophet also had a good relationship with a Jewish priest named Mukhayriq. Even Mukhayriq fought in the battle of Uhud in the 4th year of H. with the prophet to fight the infidels of Makkah who came to attack and advised that if he died, his date palm would be given to the prophet. And finally he died on the battlefield, then his palm garden is managed by the prophet. Aisyah also used to receive guests from Jewish women at her home to discuss religious matters. Ali Mustafa Yaqub affirms that this can be an inspiration for us all to live with other believers with mutual respect and tolerance. The followers of other religions also have the right to worship according to the belief and right to live in community as members of a community, so that there is no justification for any acts of violence against other believers. Iya also added that the war that occurred between the prophet and the group of infidels Makkah not for reasons of religious differences, but because of social, political and economic factors (Yaqub, 2016). Understanding like this that will build synergy between communities in a community to both build harmony in the social, economic, political and so forth. Religion-related issues of religious sensitivity will not be easily established and ignited by irresponsible persons whose goal is not to undermine the existence of a particular religion, but to undermine the existence of all religions incorporated in a single nation.

In his view of terrorists, he tried to give a deep understanding of the Islamic response to Jihad and terrorists, as most people think that this terrorist movement stems from an understanding of the concept of Jihad in Islam, so they pinned the terrorist label against Islam only because of the behavior of some Muslims understand Jihad with his own point of view. He mentions three striking differences between Jihad and terrorists in Islam, 1) Jihad in Islam is mandatory, while terrorists in Islam are forbidden; 2) Jihad in Islam must be commanded by a leader or president, whereas terrorists can be carried out by a person without pocketing the permission and orders of the leader or president; and 3) Jihad in Islam has provisions that must be obeyed, such as not fighting against civilians who do not participate in the fight against Islam, meaning that only those who fight against Islam are allowed to fight and be killed, while terrorists will justify any means to achieve their goals by fight and kill everyone indiscriminately and for sure reason.

Then he told a story about a university student Tulsa, American Oklahoms who pledged themselves as converts. The reason for his interest in Islam is when he hears allegations that Islam is a terrorist religion, he wondered to himself, is there really a religion that teaches terrorism to its followers to fight and kill other faiths. Then he began to read some of the Islamic literature at the university library of Tulsa. Then he understood from his reading that Islam is a peaceful religion and teaches its followers to co-exist with other believers. Islam is also a loving religion because it gives protection not only to its adherents, but to other believers, animals, trees and everything in the universe (Yaqub, 2016).

In this case, Ali Mustafa Yaqub can provide the right answer to the allegations of some observers who see that Islam is a terrorist religion. He also provides a deep understanding of the true concept of Jihad in Islam, so that it can be understood by Indonesian Muslim society and can maintain the existence of moderate Indonesian Islam, which is not easy to shed the blood of fellow human beings on the basis of religious differences. Since several suicide bombings in Bali I and II bombings, Marriot Hotel, Ritz Carlton and other suicide bombings, Indonesian people began to discuss the concept of Jihad in Islam. This theme seems to be a daily consumptive topic that really needs to be emphasized, given the Jihad ideology of radical groups still survive in Indonesia.

As for Ali Mustafa Yaqub's view of the Indonesian state system using the democratic system, and not the Islamic Shari'a system, he considers that the democratic system for the social life of interaction among fellow human beings is allowed in Islam. A state can be regarded as running the Islamic Shariah without having to implement the Islamic Shari'a system, but simply implementing Islamic rules of worship and muamalah, and making Islamic moral values as the norm of life (Yaqub, 2016). This kind of thinking is the legacy of the early leaders of Nahdlatul Ulama in Indonesia, namely Hashim Ash'ari who recognizes Indonesia as a country that must be defended and recognize Pancasila as the state base (Sitompul, 2010).

Of course, this view will be seen as an answer to the ideas made by some groups such as Hizbut Tahrir Indonesia who want to make Indonesia as a country that implements Islamic Shari'a system as a system of government. They assume that the position of caliph obliges man to decide and apply the things of life with the laws of Allah. For that purpose, God has sent prophets and apostles. They are all sent to convey to man his treatise which also contains the laws that must be applied. Although in the case of faith all prophets and apostles are the same, namely the creed of Tawheed, in their lawsuit are given different shari'a and life guidelines (QS al-Maidah [5]: 48). Each prophet and the apostle and his people shall be bound by the law that applies to them. When they apply and decide the law based on Shari'a, they have done their duty as Caliph. Islam is a plenary religion for man, a religion that contains the rules of all aspects of human life, so that humans no longer need to make new rules. This means that all Islamic law must be applied. And in its application, Islamic laws are grouped into two, namely: 1) there is the implementation charged to individuals such as aqidah, worship, food, clothing, and morals. Some mu'amalah law its implementation can also be carried out individually without having to involve countries such as trade, ijārah, marriage, inheritance, etc.); and 2) some of which are imposed on such countries as government, economic, social, education and foreign policy systems; also relate to the laws relating to sanctions imposed on any form of violation of sharia law. Such laws should not be done by individuals. All laws must be done by the caliph or authorized by him.

The rationale for the necessity of the enforcement of this Shari'a is the understanding of literal religious texts, such as when looking

at the word of the prophet which means: "In the midst of you there is a period of prophecy that lasts as long as God wills it. Then He lifted that time when willed to lift it. Then there will be a period of Khilafah enforcing the rule of prophethood (HR Ahmad) ", it is understood as the necessity of establishing the Khilafah on this earth. Furthermore the text of this Khilafah is also associated with the words of another prophet which means: "Whoever dies, while on his shoulders there is no baiat, then his death in the state of ignorance. (Muslim). Therefore, the Caliph is obliged to be appointed by way of Baiat. With the Khalifah, the obligation of Baiat on the shoulders of every Muslim can be realized. On the contrary, if there is no Khalifah, the required Baiat is not on the shoulders of every Muslim. And the prophet strongly denounced the circumstances of the Muslims who died without Baiat and considered him dead in a state of ignorance (Hizb ut-Tahrir Indonesia, 2007 and Fatihunnada, 2015).

Furthermore, Ali Mustafa Yaqub's view of Islam between religion and culture is a very moderate outlook based on the long history of Islam in Indonesia which leaves no cultural norms totally. In this case, he took the example of how to dress. He does not see Indonesian Muslims as having to dress like the prophet's clothes in Arab territory with gamis and other attributes. In his view, Islam only gives the concept of dress with four provisions, namely:

not open aurat; 2) not transparent; 3) not strict; and 4) does not resemble the clothes of the opposite sex. Therefore, any Muslim can use any type and model of clothing as long as it does not cross the boundaries above. Even further, he asserted that dressing with clothes typical of the area of origin and residential areas, such as batik or koko for the Indonesian community better than using clothes gamis, because it can eliminate the elements of showrooms in dress. Of course, for the Arab community better dressing robe like Arab culture (Yaqub, 2016).

IV. CONCLUSION

Islam Indonesia has a very large heritage in the field of moderate Islamic concepts. Islam that promotes friendly attitude towards others, maintaining peace between people, able to accept differences and respond with understanding, and maintain the noble culture of the nation and bring Islamic values in it.

We hope that this peaceful, friendly and tolerant character of Islam Indonesia can be expected to be a reflection of Islam in the future and will become a pilot Islam that can make a real contribution to the

world community. This is not an exaggeration in assessing Islam in Indonesia, given the cultural diversity that exists within the vastness of Indonesia with the democratic system and the Muslim population as the majority, Indonesian Islam remains strong as a moderate Islam that does not recognize anarchist attitudes.

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Polemic of Marital Age Limitations Setting Variety in Pluralism Cultural Perspectives in Brebes

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Abstract- Child marriage has been a warm topic to be discussed. This statement is not only the result of minimal knowledge, but it also has become a trend and a belief in the community. The reason is very diverse, ranging from the increase in prestige, self-esteem, and custom. The Convention on the Rights of the Child states that a person is considered a Child if he/she is less than 18 (eighteen) years old.

The National Population and Family Planning Board (BKKBN) noted that Brebes Regency is in the first rank as the region which held child marriages, then followed by Grobogan, Demak, Magelang and other regions. Besides being attributed to the lack of understanding of the law, it is also caused the less understanding to the religious norms.

In religious context, marriage is often associated with the age limit of someone who has been considered as an adult. The maturity indicator of an adult is justified using physical characteristics or reproductive functions of the body, like menstruation in girls which may be different from one child to another. Certainly, religious do not clearly mention the minimum age of marriage, therefore it needs to be interpreted, addressed, and applied to the state laws wisely in accordance with the context and the current situations. Factors of "bias" religious understanding in Indonesia can be assumed to be one of many factors of child marriage.

Keywords: child marriage, pluralism, culture.

I. INTRODUCTION

Child marriage is still a warm issue to be discussed; it is not only caused by the lack of knowledge of the younger generation, but also the trend, and the public terms as common matters. The reason is very diverse, ranging from the increase of prestige and self-esteem, custom, or compulsion from the circumstances that demand immediate marriage. Based on this basis, researcher provides answers on the marriage of different children, both in accordance with the laws and theories.

The Convention on the Rights of the Child states that a person is considered a Child if he/she is

less than 18 (eighteen) years old. In International law, child marriage is defined as a form of violence against women and violation of human rights especially as referred to in Article 16 (2) of the Universal Declaration of Human Rights, which expressly states that "marriage can only be implemented based on free choice and full approval by the bride and groom". Child marriage issue has also received special attention in the fifth target of the *SDGs (Sustainable Development Goals)* that aimed at "achieving gender equity". The Convention on the Rights of the Child defines a child as a person under the age of 18, so that if a person under 18 years old got married, it is internationally categorized as a child marriage.[1]

The results of a study conducted by The Council Foreign Relations (CFR) stated that the phenomenon of child marriage found in many parts of the world such as South Asia (46.90%), Sub-Saharan Africa (37.30%), Latin America (29%), East Asia and Pacific (17.60%), Middle East and North Africa (Vogelstein, 2013). Indonesia also has become a country with the highest percentage of child marriages.

This data shows the serious issue of child marriage at a very young age (10-15 years old) that exceeds 10 percent. The marriage rate by the age of 16-18 is more worrying because this age still classified as a child. There are very serious implications because of the marriage under 18 years old.

UNICEF Annual Report 2014 reported from the total of 85 million children in Indonesia, one in six (1: 6) Indonesian women got married at the age under 18 years old. *World Fertility Policies* also noted the similar data that 1 to 13 percent of Indonesian women got married at the age of 10-15 years old and 32,10 percent at the age of 16-18 (Susenas Data, 2012). The IDHS data in 2012 recorded the percentage of women who got married under the age

of 20. The data showed there were 13 percent of women with the median age of 20,1 and the median of marriage age (first marriage) in rural area was at low rate, that is 19,7.[2]

Based on the above information, Brebes Regency has been the biggest area for child marriage issues. The case of child marriage in Central Java is in the highest rate, Taufiq Budi, okezone *lifestyle* journalist reported that the child marriage in Brebes reached 3,876 in 2016. National Family Planning Coordinating Board (BKKBN) noted that Brebes Regency is in the first rank for child marriage cases, followed by Grobogan, Demak, Magelang, and other areas. The rise of child marriage number in Brebes Regency is caused by many factors, including education status, economic status, and socio-culture.[3]

The next factor that needs to be observed is the low level of parent education and the tradition of marrying off their daughters at early age in order the prevent their daughters from being old maid. Another phenomenon is the values and social changes in the community such as the promiscuity of underage children that leads to unwanted pregnancies. So, the way to overcome this case, the parents will marry off their daughters. Furthermore, the information and education on reproductive health is still very poor which can lead to incorrect understanding about sexuality issue. It triggers the children to get married. The table below is the rates of underage married children in Brebes Regency.

II. METHOD

This research is a type of sociolegal research, namely legal science research with the methodology approach of the social sciences .The legal fields studied are family law, especially concerning child marriage, which comes from positive law, sources of Islamic law and expert opinions both positive law and Islamic law, textual provisions in these three normative legal sources are studied carefully and critically by using legal Anthropology approach, which captures the scope of culture in the lives of the people of Brebes.

In this study, in addition to being a type of sociolegal research, this research is an interdisciplinary study with sociology, especially regarding the understanding of the Brebes community on religious rules regarding adulthood. Theoretically, religion is seen as an illustration of social reality because humanity values in any religion go beyond the teachings themselves, this view by Peter L. Berger is called socio-religious reality, which places the piety of a religious person as depicted by social piety.

The locations of our study were Banjarharjo village and parareja village, Banjarharjo sub-district, Brebes district, and Banjaran village, Salem district. These two villages are villages that are vulnerable to child marriage according to the BPA3KB report.

The data in this study were collected using in-depth interview techniques, observations not involved and document studies. Interviews are used to collect data from respondents and resource persons.

Data analysis in this study was conducted by referring to the interactive model introduced by Miles and Huberman, which consisted of three interrelated sub-processes, namely data reduction, data presentation and conclusion.

III. RESULT

Table 1

Distribution of the largest child marriage in Brebes Regency

No	District	Percentage
1	Kersana	48.02
2	Ketanggungan	42.09
3	Larangan	45.72
4	Losari	52.50
5	Salem	48.50
6	Bantarkawug	52.49
7	Banjarharjo	55.67

Source: BP3AKB of Central Java Province

The data above shows that Brebes is still in the first position in Central Java as the most populated district for child marriage cases. The issue supported by many underdeveloped villages and most of the people from Central Kalimantan are living in the underdeveloped rural areas. Rural areas are generally characterized by the lack of quality of local human resources, including low level of labor productivity, limited infrastructure, limited access to health service, lack of education, high poverty level, and poor quality of rural settlement.[4]

Collection of Rules Regarding Mature Age

One of the main reasons which caused child marriage is related to the regulatory

framework. Law Number 1 year 1974 about marriage states that the marriageable age for a bride is 16 and for a bridegroom is 19. There is an inconsistency related to the child's age limit and the child's definition in the various other laws and regulations in Indonesia.

Table 2
Laws Related to Child Age Restrictions

N o.	Source	Article	Age Restricti ons	Descripti on
1	Indonesia n criminal code	Article 45	16 years old	An immature child the person is under 16 years old
2	Indonesia n civil code	Article 330 Paragra ph (1)	21 years old	A person cannot be considere d an adult if the person is under 21 years old unless the person is married before the age of 21 years old
3	Islamic Legal Compilati on (KHI)	Article 98 Paragra ph (1)	21 years old	The age limit of children who can stand on their own or an adult of 21 years old, as long as the child is not physicall

				y or mentally defective or has never been married off
4	Law No.1 year 1974	Article 7 Paragra ph 1	19 years old for men 16 years old for women	a man is allowed to marry (consider ed to be mature and eligible for marriage) after reaching the age of 19 (nineteen) and a woman who has reached the age of 16 (sixteen). Deviation s from this may only be subject to dispensat ion.

5	about Marriage Presidential Decree No.36 of 1990 (Ratification of the Convention on the Rights of the Child)		18 years old	A child is a person under 18 (eighteen), including an unborn child
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In addition to the lack of understanding of the law and some other rules, as well as understanding about the religious rules that grow in the community also becomes a major concern. One of the religious-related understandings as in the Islamic religious perspective is that a kid may get married because she/he is considered baligh, which means she/he begins to burden the law of syara', and has been burdened with the exercise of religious law as a sign of the end of childhood. However, this baligh criterion does not apply in general, because it is only limited to sane people, while the people with mental health issue are not burdened with the obligations of sharia (Islam). Therefore, in Islam there is the term of "*aqil baligh*".

A person's condition is considered "*aqil baligh*" that a person has good logic and physical as well as understands the law, and can distinguish good or bad value. [5]

Baligh for boys is characterized by biological changes as he gets a "wet dream", or experiencing first menstruation for the girls. The age on which each person experiencing baligh can be vary. Usually boys undergo physical changes between the ages of 11 and 13 years old and girls at the age of 10 to 12 years old.

There are many events that occur in our society especially for Muslims who marry off their children at the very early age, even under 16 years old (especially in girls). When their children are married off, they are considered baligh or already have a logical sense with a sign that the child has experienced her first menstruation. In the meantime, a lot of reality of girls have experienced menstruation from the age of 9 years old. Thus, if someone is considered baligh, then what about his/her logical

sense when she/he must gets married at the age of 9-year-old? The terms mentioned in the text of Islam is not only baligh[6], but also mature physically or emotionally.

Cultural Pluralism in Brebes

It cannot be denied that humans as God's creatures live and stay on one earth. The variety (diversity) associated with ethnicity, nation, religion, culture, language, profession, and so on, is a necessity that God has given to His servants which then it becomes His *decree*

(*Sunnatullah*).[7] Pluralism or religious or cultural diversity can be interpreted as an *axiomatic* (indisputable) form of reality and is an all-encompassing form of *historical necessity*. In terms of religion itself, plurality or religious diversity can be viewed as a form of the eternal *sunnat al-Allah* (ordinance of the law of God) (*perennial*).[8]

Associated with pluralism, it becomes a consciousness for the followers of earlier religions. A religion will generally arise in a pluralistic social or pluralistic practice and will form a self-existence in the midst of the diversity of religion. It can also be said that religion exists because of plurality in a society. The teachings of religion reinforced in the form of codification of religion, the way of worship, and its laws which exist because of the dialectical process with plurality.[9] Associated with plurality, there are some arguments both normative-theological-philosophical or historical explain the inevitability of a historical or legal certainty of God. Plurality has two purposes, namely to worship God or to be accepted by the society. In the cultural reality (goal, al-qashd), plurality arises from the plurality of the appearances of God as well as the diversity of cultural values (self-disclosure, *tajliyat al-Ilahiyat*). The plurality of the appearances of God also occurs as a result of the plurality of Shariah (revealed religion).[10]

In addition to religion, cultural diversity is one of the important reasons for the realization of the new behavior that thrives among people. The people of Banjarharjo and Salem districts of Brebes Regency are examples of people who do *cultural counter*. [11] People who geographically live in the hills of South Brebes Regency have made a change of attitude and treatment of Javanese culture which then turned to Sundanese culture. The predecessors who mostly studied in the pesantren of West Java give a big influence on the local culture of Brebes Regency so that the culture of Java is completely lost. The culture of *Nampik* and *sawer*, people believe that someone who has rejected the marriage proposal will be difficult to get a mate and one's happiness is not measured by the status of education but from the

fulfillment of family needs. These attitudes are form of concept of resistance that becomes subordinate to a *counterculture* of Java-Sunda that the expression of society without affirming its idealism and revolutionary potential. Therefore, the capacity and capability of the community are positioned as parts of cultural movement synergistic towards socio-cultural transformation.

from the results of interviews with informants and resource persons in Brebes, there are some results regarding the understanding of the Brebes community towards child marriage:

Age of Marriage is Relative

The notion of society that women are the object of male protection

while the cultural influence on child marriage in Brebes is caused by several factors: Failure to Form a Generic Culture, Culture of Child Marriage as a Stepping Stone for a Better Future, Fast Married Children Are Social Achievements, Distrust for Higher Education, Cultural War between Populis and Elitis

Child Marriage in Cultural Context Marriage is derived from the word

"marry". According to the language definition, it is understood as an attempt to form a family with the opposite sex in a way to have sex. Marriage is an *al mitsaq al ghalizh* (solid bond) that unites two person; a man and a woman in a commitment to build a household.[12] Whereas in Islamic law, marriage interpreted as an inner bond between a man and woman to live together in a household to get descent based on Islamic Shari'a. While in Law No. 1 year 1974 about Marriage describes that the minimum age of a person is allowed to marry is 19 years old for men and 16 years old for women.

Bogue divides four classifications of marriage age patterns. These are child marriage for those who are married under the age of 18, young marriage for those who married at the age of 18-19, adult marriage for those who married at the age of 20- 21, and late marriages for those who married at the age of 22 or older.[13]

Child marriage is a marriage that does not meet the age limit requirements determined by the laws. Child marriage is also often referred to as a marriage dispensation. In a narrower sense, a child marriage based on Law No. 1 year 1974 is a marriage that is limited by age. Meanwhile, every man and woman who has not reached the specified age limit should not marry. A case of two people being married off when their ages are under the age limit can be categorized as child marriage. In addition, the selection of the word of child marriage may contain elements of coercion. Child marriage is different from early marriage. In early marriage,

the age has entered adulthood in the concept of religion but still too young to marry. While the child marriage is a marriage done by children.[14]

Banjarharjo and Salem districts are examples of cultural pluralism forms; the cultural diversity which is a mixture of Sundanese culture which coloring the behavior of the people. Child marriage or commonly referred as early marriage (under age limit for marriage) has colored the habits of society to become a deep-rooted tradition. This culture even becomes a counterculture of the society that prioritizes education, then turned into a society that prioritizes welfare but not by the tradition of education. Even today tend to resist the importance of higher education like Bachelor since those who have high education tend to be more difficult to be controlled in marriage context. Many people try to counter-culture because they feel oppressed and disadvantaged by the facts in accordance with the norms and rules.

IV. CONCLUSION

There are many marriages of children in the Regency of Brebes, from the results of research, the researchers found several reasons for the rise of underage marriage, based on the understanding of the people in the Salem and Banjarharjo sub-districts, marriage age is understood as something relative. That is, the peak of marital sacredness is not located at the age of marriage, but lies in the readiness of the bride and groom regardless of age and level of education. In this context, another reason for the occurrence of marriage at an early age in Brebes district is that women are used as objects of protection for men, women are considered weak so that they must guard their security through male assistance. The sooner you get married, the faster you will get physical and economic protection.

Whereas in terms of cultural influences, a number of things that can be concluded from marriages in Brebes Regency include: the Brebes district community failed to form a generic culture, as evidenced by the strengthening of Sundanese culture from Java, especially the Salem and Banjar Harjo districts, the culture of child marriage as a stepping stone for a better future, the assumption that children get married is social achievement, because of the strengthening of jargon "*lightly easy match*", distrust towards higher education, because the assessment that the main purpose of marriage is material welfare, not the wisdom of thinking models, and finally the cultural war between Populis and Elitis

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Sunnatullah is a provision (destiny) of God that is real and can not be denied and avoided. As one of the easiest examples, Indonesia consists of many tribes, nations, religions, cultures, languages, skin colors, professions, locations, and many other things. It is a reality that has occurred in the midst of the society in a broad and comprehensive way, its existence is not to be rejected and eliminated, but all of them should be managed and protected, because it is the grace of God so that we must always be grateful.

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The theory of Counterculture is a theory pioneered by three world intellectual leaders who are from working class society. They are Richard Hoggart, Raymond Williams, and Stuart Hall. These three people are intellectuals of the working class. In 1964 they founded the Center for Contemporary Cultural Studies (CCC.S.) at the University of Birmingham. They seek to discover the 'history' of the workers who are never mentioned in history. They seek to promote the culture of the workers who are often seen as lowly cultures, which create opposition to the indigenous cultures of the local community. There is also Marcus Garvey who pioneered the struggle of the dark-skin people organized by forming The Universal Negro Improvement Association; an organization that builds a new awareness among the Jamaican native people in 1914 in Jamaica. In Indonesia, it appears a jargon *man tasyabbaha biqaumin fahua minhum* from Hadratu shaykh Hasyim

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The Narrative Literature of Cupping in Islamic Prophetic Tradition

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Abstract—The Cupping (*Hijama*) is an ancient and alternative medicine practice that popular until nowadays. However, this oldest traditional procedure is one of an important component of the effective therapeutic methods of the prophet Muhammad's times. This article elaborates on the genealogy of cupping practices through various traditions, mainly cupping therapy in Islamic prophetic tradition. Historically, the practice of cupping did not come from Islamic Tradition, but it has a further historical origin and roots in Ancient civilizations, such as Ancient Egypt, China, Greece, Rome, Mecca, and Medina. The prophet Muhammad (peace be upon him) urged his followers to use this therapy as a means of healing and preventive medicine in accommodating the local culture. Considering the benefits of cupping, the Prophet gave practical guides on the ways and procedures of cupping, including where the proper part of the body and when the best time for cupping. The best cupping points on the body are two neck veins, back, and head. A hadith states that the Prophet used to have cupping done on the 17th, 19th and 21st day of the lunar month. The other suggestion is the fasting person is not allowed to do cupping.

Keywords: *cupping (hijamah), prophetic tradition, history*

INTRODUCTION

Cupping (*hijama*) is one of alternative medicine which quite popular, especially among Indonesian Muslim. This popularity is supported by several factors, such as economic, medical and religious motives. People are shifting towards alternative medicine because of less adverse effects and low cost. Cupping is believed to be an alternative medical therapy to treat various pains. Both factors are affirmed by the belief that cupping is the Sunna of the Prophet Muhammad, the prophetic tradition which part of *ibadah*. Prophetic medicine is a term given to the medical knowledge gained from teachings, sayings (hadiths), advice and deeds of prophet Muhammad peace be upon him related to health and disease treatment.

In Indonesia, there were 3.342 members of ITBI (Ikatan Terapi Bekam Indonesia) since 2014. In the same year, 38 health clinics open the practice of cupping therapy. Meanwhile, the number of certified therapists by ITBI is 3935 therapists at 2018.[1] These

data indicate that the public demand for cupping as one of the alternative treatment in Indonesia is increasing and becoming a tradition.

The scientific study had been conducted to prove the benefits of cupping. According to Ali Muhammad Mathowi, The Dean of Medical School of the University of Al Azhar and the expert on radiology and tumor, the cupping is one of the best medical treatment. He explains that the organs of the body are related to certain parts of the skin where the point of the nerves supplies the organ's food in the spinal cord. By such connection, any stimulation directed at any skin of the body will affect the internal organs. The other sources, the Head of Hepatology Division Army Hospital Egypt, Ahmad Abdus Sami proposed that the research had proved that the removal of some of the blood in cupping therapy can speed up the recovery of treatment reactions, and cupping can be used as a complementary therapy of medical treatment.[2] However, the study of cupping through an Islamic perspective is still rare.

One of a published article of cupping is titled —*Pengaruh Bekam (al-Hijamah) terhadap Kadar Kolesterol LDL pada Pria Dewasa Normal* written by Alfiany Fahmy dan Adang Muhammad Gugun.[3] This research concludes that cupping therapy increase the amount of cholesterol (LDL/ low-density lipoprotein) within one hour after treatment. According to him, there is a significant increase in LDL cholesterol ($p = 0,000$) in almost all subjects. There was a strong positive correlation between LDL before and one hour after cupping ($R = 0.987$).

Kristen Bright in her article, —*Traditional Cupping Therapy in Unani (Greco Islamic) and Chinese Medicine* shows that cupping only give temporary healing.[4] For permanent healing, the cupping should be done routinely or combined with other treatment methods such as acupuncture and taking herbal remedies.

Noor Akbar and Endang Mahati conducted the research titled —*Pengaruh Bekam Basah Terhadap Kolesterol dan Tekanan Darah Pada Pasien Hipertensi di Semarang*.[5] This research concluded that there was a significant drop in blood pressure in hypertensive patients who were given cupping therapy. The results of cupping can lower blood

pressure both systolic and diastolic significantly ($p < 0.05$). As for total blood cholesterol levels, there was a decrease but not significant ($p > 0.05$).

The next research is —*Peranan Metode Pengobatan Islam Cupping Therapy dalam Penurunan Kadar Glukosa Darah* written by Cut Khairunnisa and Fikri Fadli.[6] The study revealed that patients who did cupping therapy had decreased blood glucose levels, which was 126.78 mg/dl with standard deviation 40.261, to 116.38 mg/dl with standard intersection 21,334.

Pesantren, as the Islamic boarding school, train their *santri* (student) to be cupping therapists. [7] Umayah reported in his research —*Fenomena Bekam di Pesantren Eretan Indramayul* that the practice of cupping aims to provide the expertise of medicine toward *santri* to treat themselves and others.

Some previous research has answered the benefits of cupping for the health in accordance with their focus of each research. But, only a few researchers explored the element of Sunna from the cupping with the historical approach as prophetic tradition. The study of cupping based on the historical side and its origins that becomes a valuable subject has not been done. This article will elaborate narrative literature of the cupping's origin mainly cupping in Islamic prophetic tradition. Hopefully, it will be the novelty of article and be useful for academic scholarship research.

II. THE METHOD

This study is a literature research using historical perspective. In this case, the cupping tradition is not only referred to as the object of study but also learned to discover explicit aspects, such as on the methods and procedures of cupping that will be traced through the texts. The historical approach is conducted by examining and reviewing the historical situation or event that is related to the background of the emergence of texts. This study review the transmission of cupping tradition from the beginning of its emergence until now claimed as prophetic medicine (*Tibbun Nabawi*). Based on this way, this article can elaborate on the genealogy of the word —*Tibbun Nabawi*.

RESULT

A. Tracing the tradition of cupping

Cupping therapy (*al-hijamah* in Arabic) is a practice whereby glass or bam-boo cups are applied to the surface of the skin and through suction and negative pressure, the skin and superficial muscle is gently drawn into and held in the cups.[8] A common element among its uses is the extraction of toxic substances (detoxification) from the body by creating negative pressure in the cup.[9] In another word, based on the holistic principle that the body relies on a balance of energies to function properly, cupping is used to remove accumulated stress, tension, and cold

channels from the body; promote blood flow and healing, and restore balance.

There is different version about the history of cupping. The origin, whether cupping therapy was originated from a region or invented in each region of the world independently, has not been clear up to now. According to Kristin Bright, the earliest recorded use of cupping is in the *Ebers Papyrus* of ancient Egypt (1550 BCE) where cupping was indicated for the removal of foreign matter from the body.[10] Hippocrates (ca. 460–370 BCE)[11] and Galen (ca. 129–200 CE) [12] also described cupping as an effective remedy for numerous disorders and a means to evacuate toxins, reduce inflammation, arrest fevers, and restore humoral balance. The ancient Egyptians introduced Cupping Therapy to the Greeks and subsequently, it spread to other European countries and eventually to the Americans.[13] The classical method for creating suction in the cup is to use fire to consume the air within it.[14] There were two forms of cupping. These are known as dry cupping and wet or moist cupping. Dry cupping pulls the local underlying tissue up into a cupping vessel, whereas in wet cupping, the skin and sometimes deeper is cut to produce a flow of blood and then a cup is applied.[15]

In another opinion, Ilkay Zihni Chirali said that cupping was originated from Cina. The earliest discovered record of cupping in China was in the *Wu Shi Er Bing Fang*, an ancient book written on silk. This book was discovered in an ancient tomb of the Han Dynasty in 1973.[16] Zhao Xue-min, a Chinese doctor in the Qing Dynasty wrote a book entitled *Bencao Gangmu Shiyi* (Supplements to Compendium of Materia Medica) about 200 years ago, describing details of the history and origin of different kinds of cupping, cup shapes, their functions and clinical uses in the treatment of diseases.[17] The cups are applied along acupuncture points (‘meridians’) and the site of pain. They used horns as cups and placed them along the meridians. Chinese used fire to create suction mainly as part of the tradition. In this method, hollowed horns were used in Cupping practice.[18] That's why cupping has also been known as —*Jiao Fal* which means the horn technique.

Based on the study of its emergence, it shows that the Cupping first appeared in ancient Egypt, then spread to other regions, including China. The spreading of Cupping went to Makkah and Medina, the place where Muhammad Saw, encouraged his followers to practice it.

B. Cupping Practices and Prophetic Medicine

A brief description of the history of cupping suggests that the cupping practice has emerged in the centuries before the Prophet Muhammad and has been used by some ancient civilizations. According to Zaglul al-Najjar, Arabs have known cupping since the era of Jahili but the method which is used still rough

and painful.[19] They have no clue to which nerve points are right or should be avoided. Non-sterile medical equipments can endanger the patient. So naturally, instead of healthy, cupping causes side effects even cause death. This fact makes Jahiliyyah Arabs begin to leave the cupping.

On the other hand, Jahiliyyah Arabs believe various kinds of *khurafat* [20] and tales about the cause of disease. According to them, the disease was caused by the influence of demons, the evil spirits and the stars. Although the cupping practices are well known, they prioritize treatment through magic and *nujum* (forecast).

Therefore, the willing to preserve cupping in the Prophet era is not only to accommodate the local culture but also to eliminate the treatment methods that rely on magic.

C. Hadits about Cupping Practices

The hadith will be mentioned based on the law of cupping, the main sites of cupping, and the best time of cupping.

*The Law of Cupping Volume 3
Book 71, Number 599:*

Narrated Anas: that he was asked about the wages of the one who cups others. He said, 'Allah's Apostle was cupped by Abd Taiba, to whom he gave two Sa of food and interceded for him with his masters who consequently reduced what they used to charge him daily. Then the Prophet s said, "The best medicines you may treat yourselves with are cupping and sea incense," [21]

Historically, the previous hadith can be understood that the Prophet greatly appreciated the cupping as a method of treatment. The Prophet deeply appreciate the cupping therapist by delivering his phrase which says that the most ideal medicine is a cupping. Considering the social aspect, the hadith also shows that the Prophet accommodated the local culture because cupping is already there before the Jahiliyyah Era.

In other hadith Nabi Saw said that "On the Night of Mi"raj (ﷺ) every group of Angels (ﷺ) I passed, said to me, tell your ummat to use Hijamah (ﷺ). (narrated by Ibn Majah) [22]

The hadith told that the prophet Muhammad related the sacred time for Muslim -*Isra*" Mi"raj- and the cupping practices in front of his *Sahabah* (Companies). *Isra*" is an important event in which *salat* was made obligatory. This indicates that the Prophet not only suggested the cupping practice to accommodate local culture but also to bring normative values on it.

The Prophet Muhammad peace be upon Him has mentioned cupping in approximately 28 *hadith*. Observing various hadits about cupping, none of them literally indicates its obligations. In various stories, the hadith informed that The prophet Muhammad

peace be upon Him during his life practiced cupping and also strongly advised cupping to his followers. Based on this information, it stated that the Cupping Practices is the Sunna of the Prophet Muhammad, the prophetic tradition, and now known as prophetic medicine.

Meanwhile, there are variations of the Islamic law concluded depending on the matters being discussed. There is some hadith showed the banning of cupping at certain times, which then concluded its law as *makruh* even *haram*. [23] There is also a suggestion to do, which is then concluded as *sunnah*.

The hadith stated that the cupper and the one for whom cupping is done both break their fast.[24] This implicates the law of cupping that previously was *sunnah* then changed be *makruh*. The Prophet forbid cupping for fasting Muslim because of considering the condition of them. The cupping weakens the fasting person and. However, some Ulama did not consider the cupping for fasting person when being physically strong as *makruh*. [25] The other issue is the Ulama' disagreed in relation to the earnings of a cupper. The majority of them, from the early (salaf) as well as later (Khalaf) ones, state that the earnings of a cupper and consuming from such earnings is not unlawful (*makruh*) – neither for a free person nor a slave. However, Imam Hafiz ibn Hajar al-Asqalani (Allah have mercy on him) states in his celebrated Fath al-Bari that the majority of scholars are of the opinion that the income of a cupper is lawful due to the hadith of Abdullah ibn Abbas' Both statements contradict each

other, which is called *ikhtilaful hadith*. [26] Nowadays, the cupping therapist is one medicine expertise whom the public wanted.

2) The Main Sites of Cupping

Hadiths had mentioned some main sites of cupping and what illnesses they were used. These sites were also mentioned by Ibnu Sina in his book Kitab Al-Qanun.[27] One of narrative comes from Abu Daud from Anas bin Malik, "do Hijamah at Neck (Akhda"ah) (posterior jugular vein) & upper back between the shoulders (kahil) Al-Nasa>'I added the Prophet underwent wet cupping on his middle head, in the state of Ihram, due to a headache. The back of the head, which is thought to be effective in healing headaches and any disorders of the eyes. [28] The other body sites are on the flat of the hip indicated for urinary diseases and in between the two shoulder blades for treatment of dyspnoea and asthma.[29] Cupping on top of the foot due to pain in his foot.[30]

3) The Times for the Best Cupping

In the hadith that narrated Abu Hurayrah (may Allaah be pleased with him) reported that the Prophet (peace and blessings of Allaah be upon him) said: "Whoever is treated with cupping on the seventeenth,

nineteenth or twenty-first, will be healed from all diseases." [31]

The area between the shoulders blades, most commonly in line with the inferior end of the scapula is ideal for cupping therapy. This particular area is best for performing general cupping as it is the area where toxins and impurities in the blood accumulate and stagnate especially around the 17th, 19th and 21st of the month. The question is what's kind of calendar of the dates, lunar or Christian calendar. According to Amin Sakho, for people in the four seasons, the cupping should be done in the spring.[32]

In another hadith, the Prophet suggested cupping in the morning, on Monday, Tuesday, and Thursday. The suggestion can be seen in the following hadith:

Ibn Umar رضى الله عنه said: „O Nafi"! The blood is boiling in me. Bring me a cupper but let it be someone gentle if you can and let him be a young man, not an old man or a boy, for I heard" Nabi saying that Hijamah (□□□□□□) on empty stomach is best, in it, is cure & blessings, it improves intellect and memory & further said do (undergo) Hijamah (□□□□□□) yourselves with blessings of Allah Ta"lah on Thursday and keep away from Hijamah (□□□□□□) on Wednesday, Friday, Saturday & Sunday (to be safe) & said perform Hijamah (□□□□□□) on Monday & Tuesday for it is the days Allah saved the Prophet Ayyub □□□□□□ □□□□ from a trail (bala") & he was inflicted with the trail on Wednesday & said You will not find (skin diseases like) leprosy, except on Wednesday (or Wednesday night).[33]

Hadith recommended days for cupping, it is on the morning of Monday, Tuesday, and Thursday and the forbidden days are Friday, Saturday, and Sunday. However, the suggestion is not accompanied by a reason.

4) The cupping and its condition

The Prophet banned cupping practice for fasting person. Narrated by Saubaan □□□ □□□□ □□□ that "I heard Nabi peace be upon Him saying „The cupper and the one for whom cupping is done both break their fast." [34]

Sabab al-Wurud (the background of hadith) can be seen based on the narration of Imam Ahmad, Hilal narrated that 'Ikrimah was asked about the one who is fasting - can he be treated with cupping? He said: It is only disliked because it weakens the individual. And he narrated from Ibn 'Abbas that the Prophet was treated with cupping when he was in ihram because of some poisoned mutton that he had eaten, that was poisoned by a woman from among the people of Khaibar. [35] Two conditions mentioned in the hadith related cupping, that are fasting and ihram. If cupping makes people feel weakened during fasting and ihram, so they should leave it until the better time come.

IV. CONCLUSION

Based on the literature review, it can be concluded several points. First, the cupping practice

has historical origins that are deeply rooted and spread in ancient civilizations, such as Ancient Egypt, Roman, Greek, Byzantine, Italian, and Arab. However, due to the failure of cupping practice which caused by non-sterile equipments, this tradition began to be abandoned by Arab society. Because of the belief toward *Satan* and the evil spirit who brought the disease, they choose treatment through magic. Later, the cupping practice began to be preserved by the Prophet. This is reflected in the various reports of the *hadith*. There are cupping practices and its values that can be found from these hadiths, including what Islamic law said about cupping, the right body sites of cupping, recommended and forbidden times of cupping, and some conditions to do cupping.

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SHARIA ECONOMIC LAW

Al-Qur'an Verses Analysis About Treasure (Mal) In The al-Qur'an

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Abstract— Humans are naturally inclined to adore and to own the treasure. This treasure is required by humans to support their professional life. And it is also used as a tool however it is not used as a goal. Because of the treasure used as a tool, it that had been possessed by someone must be in accordance with the principles that exist in the Islamic teachings. And the treasure that had been possessed by someone should not be obtained in a way that is not justified in the Islam. Furthermore, the treasure is managed in accordance with principles based on the al-Qur'an and Hadits namely monotheism, balance, freewill, and responsibility.

Keywords—Islamic teaching, monotheism, wealth

I. INTRODUCTION

On the other hands, there is the assumption that Islam welcomes unwell to the presence of treasure, because it will exacerbate someone life in the afterlife later. Whereas, according to Quraish Shihab, Islamic views on treasure including money are very positive. Human is commanded by Allah to find prosperity not only to satisfy his/her needs, but in the al-Qur'an commands to seek what is termed *fadhl Allah*, which literally means the surplus that comes from Allah (Surah al-Jum'ah/62:10). These advantages are intended among others in order that the acquisition of treasure can perform the worship perfectly and provide assistance to other party who because of one and the other is not sufficient [1].

That way, the treasure has a positive value in Muslim's life. For that reason, in this paper will be discussed how the disclosure of the verses of the al-Qur'an about treasure (mall) and how the role of treasure in the Islamic view.

II. METHOD

In accordance with the title in this paper, the method employed is the method of *tafsir maudlu'iy*. Tafsir maudlu'iy is to interpret the verses of the al-Qur'an by compiling verses of al-Qur'an that have the same intent, in the sense of both talking about one topic of the problem and arranging it based on chronology and the reason for the decline of the verse.

Then, the interpreter begins to give explanations and clarifications and to draw conclusions [2].

The steps taken in *tafsir maudlu'iy* are as follows:

Select or define the al-Quran issues to be studied.
Collect the verses related to the matter.

Prepare those verses coherently according to the chronology of the down period with the knowledge of the *asbabunnuzul*.

Understand the correlation of the verses in their respective letters.

Prepare the discussion in the good outline.

Complete the discussion with the relevant *Hadits* to the subject.

Study these verses altogether by compiling verses that share the same meaning, or compromise between the general and the particular, or in the contrary, so that all are united in one estuary, without distinction or coercion [3].

III. RESULT

The treasure in the al-Qur'an, referred to by the term "*mal*", where the root is composed of three letters, namely "*mim*", "*waw*", and "*lam*", for example used in the phrase "لَا يَخْشَى" لا يَخْشَى, take the treasure, and in the phrase "لَا يَنْبَغِي" لا يَنْبَغِي, has become much wealth [4]. The word "*al-mal*" is used in the al-Qur'an 86 times, with 25 times in *mufrad* (singular) and 61 in *Jamak* (plurals) [5].

Based on Hasan Hanafi said that who was quoted by Quraish Shihab, the word has two forms. First, it is not given to the owner, in its own sense. This is a logical thing, because there is a treasure that does not have the object of human activity, but it is potentially for it. Second, it is given to something, such as their property, the orphan's property, and so on. This is the treasure that becomes the object of activity. And this is the most used form in the Qur'an [1].

In the al-Qur'an view, money is a capital and one of the important production factors, but it is not the

most important. Humans occupy a place of capital that is followed by natural resources. This view differs from the perspective of modern economic actors who view money as anything, so it is not uncommon for humans or natural resources to be persecuted or abandoned to obtain the desired treasure.

In acquiring the treasure acquired, the al-Qur'an provides information that the treasure acquired must be done by a lawful way (*Halal*). Halal is meant to be true and not to be contrary with the value of religious teachings. Quraish Shihab ever said that the verses relating to the word *halal* were revealed as much as 6 times, with 2 times disjunctive and illegitimate in the context of condemnation, and 4 times that are always linked with the word *kulu* (eat) and the word *thayyibah* (good). Thus, the *halal* word that *thayyib* is expected is that every activity performed by every Moslem should be a good and pleasant thing to all [3].

Another principle in gaining treasure is the prohibition of the existence of the blasphemy. Q.S. al-Baqarah / 2: 188 revealed what it means: Oh believers do not eat or do financial interactions between you in vain. According to Quraish Shihab, the word "*batil*" is defined by everything contrary to the provisions and values of religion [1].

In addition, Islam also prohibits the practice of *riba* in acquiring treasure. The word of *riba* means excess. In the al-Qur'an, the word *riba* is found 8 times at 4 surah. Related with Quraish Shihab said, the issue of usury differs among scholars. However, according to him, the most important keyword in the usury issue is that the current accounts payable transactions, including banking practices. While usury that is practiced in the period of the decline of al-Qur'an that is the advantages taken with the amount of money, levies that contain abuse and oppression, not just the saturation or addition of the amount of debt [1].

The rich treasure by the al-Qur'an is called "*khair*" (Q.S. al-Baqarah / 2: 180), who's literal meaning is kindness. This not only means that wealth is something that is valued, but also to imply that its acquisition and its use must also be good. Regardless of this, humans will experience misery in their life. It is understandable that the attractiveness of money or treasure often dazzles the eye, because humans also have a tendency to possess it naturally. (Q.S. al-Imran / 3: 14). Therefore, the al-Qur'an and *Hadits* repeatedly reminded humans' beings not to be tempted by the glitter of money and possessions, which resulted in their forgetting their duty as a servant of Allah SWT and the caliph on earth [1].

Basically, the money or possessions a person has is free to spend. He is free to invest, free to produce, free to consume, spend or donate to others. Freedom

to share or to spend (*tasharruf*) is a principle in Islamic economics. However, the freedom in question is not an absolute freedom without value, but freedom framed by rules and rules according to Islamic teachings, so it can be accounted morally to Allah SWT and also social [6].

Islamic values in the management of money and treasure are generally summarized in four basic principles, namely monotheism, balance, free will, and responsibility [1]. The first principle is monotheism. This principle contains the consequence that everything, including property, is sourced and ends in Allah SWT. With this principle produces a belief in the unity of the world and the hereafter and leads a Moslem not to pursue profit by accumulating as much wealth as possible, but a more eternal and lasting advantage in the Hereafter. The Second is balance. This principle implies a balance between rights and duties. Humans have the right to collect money and treasure as desired, but on the other hand, they should not neglect their duty to pay the *zakat* to be given to the person entitled to receive it. There is a right to be fulfilled and given to the poor (Q.S. al-Rum / 30: 38).

In this case, according to Abdul Manan quoted by Zulaekah stated that the treasure of the individual is the right to own, to adore and to transfer the treasure recognized and maintained in Islam, but they have a moral duty to charity of his/her treasure, because his/her wealth is contained the rights of others [7].

Included in this principle of equilibrium is not excessive, wasteful or devious. In the al-Qur'an stated that: Eat and drink, but do not exaggerate. Verily, Allah does not love the extravagant (Q.S. al-A'raf / 7: 31). Another example of a ban on extravagant is in the will of the will as one of the forms of giving others. Although the law of the will is permissible, it is not supposed to be excessive that causes the abandoned family of the beast to be poor. In a *Hadits* stated that Sa'ad bin Abi Waqash R.A. said that the Prophet S.A.W. forbid to give more than one-third of the possessed property, for leaving the wealthy family better than leaving it poor, then begging by raising their hands. (H.R. Bukhari, No. 2537).

The third principle in managing treasure is the freewill. In managing money and treasure, human beings are given the freedom to use them in accordance with their wishes. Allah gives the grace to choose two ways, namely the virtues and disadvantages (Q.S. al-Balad / 90: 10). The freewill given by Allah is chosen to lead to good or bad. And furthermore, the advantages or disadvantages that are chosen in the management of the treasure result in others or not. All of these will certainly lead to consequences that should be held accountable.

This responsibility is the fourth principle of treasure management. The principle of responsibility in respect of this treasure concerns how to obtain and manage. The acquisition treasure with the right path and its management is done with the appropriate provisions in the teachings of Islam is certainly a non-negligible reference.

Including in this case is to grant the right to be given his rights, such as to close relatives and poor people, in lieu of the circumstances experienced by others (Qwealth.S. al-Isra / 17: 26).

IV. CONCLUSION

As the end of this discussion, it can be said that humans naturally have a tendency to love and possess treasure. Treasure is needed to sustain life. Treasure is required as a tool and it is not as a destination. Because of the treasure as a tool, then one's treasure must conform to the principles contained in the teachings of Islam. Treasure possessed cannot be acquired by unauthorized roads in Islam. And furthermore, the treasure is managed in accordance with the principles specified in the al-Qur'an and *Hadits*, namely monotheism, balance, free will, and responsibility. With this principle being a step forward in reaching the desired community, namely the *baldatun thayyibatun warabbun ghafur*. Amieen.

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Legal Compliance of Small and Medium Industry in the Regulation of Halal Product Guarantee

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Abstract The growing number of small and medium industries, especially in food products, cannot be separated from the importance of halal control and food safety. Law No. 33 of 2014 on Halal Product Guarantee is a form of legal certainty from the government regarding the guarantee of halal products in Indonesia. With the new regulation, it is expected that all products circulating in Indonesia have a halal certificate. Field research using this qualitative approach can be seen that not all small and medium industries have complied with the regulation of halal product guarantee for about four years the rule is valid, while halal certification obligation will be valid in 2019 and sanctions will be applied to the violators. The small and medium-sized industries still consider that the halal certificate is a certificate issued by the MUI and obtaining it is not an obligation. This is due to the lack of socialization and information in most small and medium industries, especially those who are less active in obtaining the latest information.

Keywords Legal Compliance, Small and Medium Industry, Regulation of Halal Product Guarantee

INTRODUCTION

The need for halal food products is fundamental to all Moslems[1] because consuming halal product is the basic right of every Moslem and a form of Shari'a obligation. The availability of adequate, safe, nutritious food has many variation based on societies' purchasing capacity and it is not contrary to religious values, culture values and beliefs are the rights of Indonesian guaranteed by 1945 Constitution[2].

Food safety is an international issue marked by many barriers to trade done by countries on food products because it is indicated a threat to people who will consume it[3] including in Indonesia. Exactly, the rightfulness of a product is questionable. This is supported by a research conducted by Dr. Ir. Trisusanto which discovered the element of pork fat in several food and beverages around society[4].

Moreover, reports about food poisoning seriously increase from 48 to 61 cases in 34 provinces on 2013-2015[5].

Nowdays, we cannot deny that business development in the field of food has increased significantly. This business is very promising to be a business with a large turnover, then many business actors prefer to cultivate this business. Consequently, it makes labelling halal is important for every food product, because halal products are not only demanded by moslem society but also non moslem[6]. Halal products are believed to be more qualified and healthy. In addition, halal products are able to compete in obtaining consumer confidence, then they are interested to buy the product[7]. The massive of products that have not been certified halal resulting in consumers' purchasing capacity, especially moslem consumers who are difficult to distinguish whether the product is truly halal and can be consumed based on Islamic Shari'a or not.

Therefore, to overcome the problem, integrated food control system is needed to provide consumer protection and ensure the food during production, distribution and other process should be appropriate with the requirements of food quality, especially in the case of halal product. The issue of halal products requires a stronger and more comprehensive legal. A research conducted by May Lim Charity explains many rules about halal products[8], they are:

Law number 18, 2012 regarding food which is a lieu of law number 7, 1996 concerning food, law number 36, 2009 on health[9], consumer protection act number 8, 1999 concerning consumer protection, government regulation no. 69/1999 on food label and advertisement[10], and presidential instruction number 2/1991 issued on June 12, 1991. Beside that legislation, there are at least 3 (three) ministerial decrees and joint ministerial decisions stipulates the inclusion of halal on food, namely: Joint

Decree of the Minister of Health and Minister of Religious Affairs Number: 427/Menkes/SKB/VIII/1985, Number 68, 1985 on inclusion of "Halal" on Food Label Decree of the Minister of Health of Republic of Indonesia Number: 82/MENKES/SK/I/1996 on the inclusion of "Halal" on food label, as amended by Decree of the Minister of Health Number 924/MENKES/SK/VIII/1996 concerning the amendment to Kepmenkes RI Number 82/Menkes/SK/1996, Joint Decree (SKB) of the Minister of Religious Affairs and Minister of Health Number 472/MENKES/SKB/VIII/1985 and Number 68/1985 on the regulation of "halal" on food labels. Based on the Decree of the Minister of Religious Affairs and Minister of Health Number 472/MENKES/SKB/VIII/1985 and Number 68/1985 on the regulation of "halal" on the food label above, then formed LPPOM MUI established MUI in 1989 as a party issuing halal certificates[11].

The regulations have been published related to food and halal products. However, various laws and regulations that are related to the regulation of halal products have provided legal certainty and guaranteed to moslem community yet. Therefore, the arrangement regarding halal product guarantee needs to be regulated in a law which comprehensively regulates all products that must be halal certified as well as its terms[12], [13]. Because the rightfulness of a product is not only on the label attached to the product, but also must be seen from the materials, processes, and distribution to the consumer[14]. Therefore, it is required standard and special institutions that deal with halal certificate[15].

The enactment of Law Number 33, 2014 on halal product guarantee is a new hope and challenge for moslems regarding halal product guarantee system in Indonesia. This halal product warranty act is also a representation of the government's responsibility to protect and provide a sense of security for consumers, especially moslem consumers in consuming products based on Islamic Shari'ah that is halal and tayyib (good). The existing of halal product guarantee act is expected to be a reference for governments and producers to provide guarantees of halal products and to be legal that ensures consumers based on principles of protection, justice, legal certainty, accountability and transparency, effectiveness and efficiency as well as professionalism[16].

Furthermore, related to provisions of the halal product safety act, article 4 which reads "Incoming, circulated and traded products in the territory of Indonesia should be halal certified", explaining halal certificate for products circulated in Indonesia should be a liability for producers. Article 12 of halal products guarantee act also states that halal certified obligations for products circulated and traded in the territory of Indonesia as referred to article 4 act as 5 (five) years since the date of enactment of this

law. This confirms that halal certificate on all products circulate in Indonesia must be realized immediately. The high percentage of food products have been certified halal yet, especially in small towns, and the rise of cases of counterfeit halal labels, all indication prove that the implementation of halal product guarantee act have been applied maximum yet. Whereas in 2019, after halal obligations for all products are enacted, there will be sanctions for business actors who do not have halal certificate or halal certificate which valid for 4 (four years) has expired.

The development of food industry increase day by day, especially small and medium industries. Small industry, there is a number of other term uses having the same meaning, that is small business, small enterprise or small firm, small scale business, and others[17] has several criterias including[18]: *First*, the business management itself. *Second*, definite of business capital. *Third*, most of the employees are locals. *Fourth*, it is a family business. *Fifth*, the key position is held by the owner. *Sixth*, business capital comes from family finances. *Seventh*, use simple technology in production process. In addition, it is not only in big cities, but also in small towns. Few criterias are still very simple without such an orderly management shows how the importance of business actor awareness in ensuring halal products.

Moreover, in Law Number 33, 2014 on halal product guarantee article 23, it is mentioned that business actors are entitled to obtain; information, education and dissemination of the halal product guarantee system, the establishment of halal products, and services to obtain halal certificates in a fast, efficient, affordable, and non-discriminatory manner.

It confirms that every business actor has the same rights in terms of socialization, coaching and service. The question is whether businesses including small and medium enterprises have received socialization and guidance as mentioned in the law, then they have awareness to obtain halal certificate of their products.

Related to this case, it should be understood that the obedience or compliance to the law according to Satjipto Rahardjo basically involves two variables, each of which is law and human being the object of the law arrangement. Thus, obedience to the law is not only seen as a function of the rule of law, but also the function of man as a target of the arrangement. Legal obedience is not only explained from the presence of the law itself, but also from the willingness of human to obey it[19].

In fact, obedience to the law is different from other social obedience, legal obedience is a duty that must be implemented and if it is not implemented well, it will cause sanctions, in contrast to social obedience, if it is not implemented then the social sanctions prevailing in this community become the judgment. Thus, it makes obedience in the law tends

to be enforced[20]. Such these rules on halal products. It takes decisive action in its implementation.

In this study, the researchers focus on how the perception of business actor of food product business of small medium industry product to the regulation of halal product guarantee and how the obedience of business actor of small medium food product to the regulation of halal product guarantee.

II. METHOD

The approach used in this research conducted in Tulungagung is qualitative approach. This research produces descriptive data. The type of this research is seen from the object is included data source of this research consists of primary data source that is person, place, paper and secondary data source. Procedure of data collection uses interview method, observation, and documentation. While data analysis of this research uses qualitative data analysis, through data reduction, display data, taking conclusion and verification. Then, checking the validity of data uses extension of participation, triangulation and peer examination through discussion.

III. RESULT

Regulations related to the guarantee of halal products have been largely formed by the government. It shows how important the rightfulness of product, especially for moslem community. The latest legislation governing the guarantee of halal products is Law Number 33, 2014 on halal product guarantee.

Law Number 33, 2014 on halal product guarantee presents to ensure legal certainty of halal products in Indonesia. It is comprehensively covered products covering goods and/or services related to food, beverages, medicines, cosmetics, chemical products, biological products, and genetically engineered products and goods used, used or utilized by the society. Imam Ghazali explains that moslems should ensure that food and products used by them are halal in terms of production, inventory, management and storage that need to be guaranteed status[21].

Regarding to law number 33, 2014 on halal product guarantee, small medium industry practitioners are only few of them who understand it. Some of small medium industries, assume that halal product guarantee is marked by the existence of halal certificate written by Indonesian Ulama Council (MUI) instruction (fatwa) stating the rightfulness of product suitable with Islamic law. The halal certificate is a requirement to include halal labels on products that meet halal requirements in accordance with Islamic law, namely: no pork and pork derived ingredients; does not contain unlawful materials; all materials are derived from halal animals slaughtered based on Islamic legal procedures; all storage, place of sale, processing, place of management and transportation separated by illicit goods, if ever used

for illicit goods, it must be cleaned first based on Islamic law; all food and drinks that do not contain khamr.

Therefore, this existence of halal product warranty act is intended to integrate halal concepts of product that can be consumed or used by moslem consumers based on Islamic law into a material legal and formal law in the law as a sub-system of national law.

The presence of halal certificate is actually accepted by society. Especially for the perpetrators of small medium industries who realize that halal certificate is important. The Indonesian Ulama Council (MUI) is considered as a legitimate and credible religious institution in representing the interests of moslems. Supervision conducted by Indonesian Ulama Council (MUI) includes food products and beverages, medicines, and cosmetics, through LP-POM. Moreover, in its development, halal certificate is a piece of paper containing recognition from Indonesian Ulama Council (MUI), followed by the inclusion of "halal label" in its product packaging. Meanwhile, "halal certificate" is a written instruction (fatwa) of Indonesian Ulama Council (MUI) which states the rightfulness of a product based on Islamic Shari'a. This is based on the previous regulation of Joint Ministerial Decree (SKB) of the Minister of Religious Affairs and Minister of Health 472/MENKES/SKB/VIII/1985 and Number 68/1985 on the regulation of "halal" on food label.

Regarding the process of guaranteeing halal products, Indonesian Ulama Council (MUI) actually has its own institution authorized in reviewing the issue of materials produced for distribution, namely institute for assessment of food, drugs and cosmetics of Indonesian Ulama Council (LPPOM MUI). When it is associated with the existence of the consumer protection act that had been promulgated in 1999, the role of Indonesian Ulama Council (MUI) is already protected the consumers from the circulation of products that are considered dangerous. In the beginning 1994, LPPOM MUI has succeeded in issuing the first halal certificate as a protection for consumers and producers, and now it can be felt by the society.

Then, according to the latest law regarding the guarantee of halal products, namely law number 33, 2014 on halal product guarantee, the implementation of halal product guarantee is based on halal product security organization (BPJPH) related to halal fatwa issued by the Indonesian Ulama Council. BPJPH is under and responsible to the Minister of Religious Affairs. BPJH has several authorities, among others, establishing standards, procedures and criteria of halal product warranty, revoking and issuing certificate and halal label on the product. In addition, conducting guidance on halal auditors[21]. The Indonesian Ulama Council (MUI), originally the organizer of halal certificate, turned its role of

determining fatwa of halal or forbidden of a product and could also be Halal Inspection Agency (LPH). To ensure law enforcement against violators of this act, administrative sanctions and criminal sanctions are imposed.

Furthermore, so far, Indonesian Ulama Council (MUI) through LP-POMMUI has established the Code of Professional Halal Auditor (LPPOM staff) as a guideline and guidelines for auditors to carry out their activities with full responsibility, and based on the spirit of ethics and professionalism[23].

There are also those who understand about the new rules on the guarantee of halal products, namely the shift of halal certificate institution from Indonesian Ulama Council (MUI) to BPJPH after getting socialization from LP-POM MUI which is usually done after registering its products to get halal certificate.

Nevertheless, halal product warranty act has stated in several articles on the transitional provisions that are as follows:

The certificate issued by Indonesian Ulama Council (MUI) is still valid for the period of time. It is suitable with the article 58 states halal certificate set by Indonesian Ulama Council (MUI) prior to this law shall remain valid until the period of the halal certificate expires.

The previous rules is as a reference in filing of halal certificate is still applied. Article 59 states that before BPJPH is established, application or renewal of halal certificate is done based on the procedure of obtaining halal certificate which is valid before this law is enacted.

The flexibility of Indonesian Ulama Council (MUI) with its LPPOM-MUI in the authority of halal certificate still applies based on Article 60 of Law Number 33, 2014 on halal product guarantee in issuing halal certificate.

Other institution which has halal certificate authority also applied it, but with certain conditions. It is mentioned in article 61 that halal inspection agency as has been done by the LPPOM-MUI before this act will be acknowledged as Halal Inspection Agency should comply with the provisions of article 13 around 2 (two) years since the establishment of BPJPH.

Thus, the authority of Indonesian Ulama Council (MUI) up to the establishment of BPJPH will be continued, and the time constraint is stipulated by halal product warranty act itself in article 64 that BPJPH must be established at least 3 (three) years from the date of promulgation of the act.

There are 2 (two) paradigms regarding the enactment of halal product certificate law to face of modernization or the process of shifting from "old" law to "new" law. The first paradigm is *voluntary*, where certificate requires only the awareness of business actors, while the institution authorized in halal certificate is passive and it is not a binding

obligation. This paradigm is still valid today. The problem is, if this voluntary paradigm is still maintained, many parties become victims of violations of the norms of business actors, especially consumers. Based on the results of research, almost evenly on every business actors tend to commit violations, mainly in the use of addictive substances are reckless. This is a violation of business actors against the legal norms regarding halal products that exist even though still partial. The second paradigm is *mandatory*, where the law on halal products that are still scattered and partial imbued with the way of legal construction through the law of halal product guarantee. The problem, it also brings the consequence that law must have a new foundation. For this purpose, it is necessary to lay down the rules as a new basis for the law of halal product certificate[24], namely the issuance of law number 33, 2014 on halal product guarantee.

The perpetrators of small medium industry still consider that halal certificate is *voluntary*. This is due to the lack of information obtained by the perpetrators of small and medium industry related to law number 33, 2014 on halal product guarantee, even though the obligation of halal certificate will still be valid in 2019 or 5 (five) years. Up to approximately 4 (four years) of Law Number 33, 2014 on halal product warranty is enacted, it is still a small number of business actors who register their products to obtain halal certificate.

Moreover, in article 4 of Law Number 33, 2014 also states that "Incoming, outstanding, and trading products in the territory of Indonesia must be halal certified". The article explains that legal certainty about the halal products circulate in Indonesia will be more clear. The halal product warranty act ideally intends integrating halal concepts of products to be consumed or used by muslim consumers based on Islamic law, being material law and formal law in the law as a sub-system of national law.

Article 67 paragraph 1 of Law Number 33, 2014 states that halal certified liability for products circulated and traded in the territory of Indonesia as referred to in Article 4 shall enter into force 5 (five) years as of the date of this law promulgated. In the period of 5 (five) years, it is the transition from the voluntary paradigm to mandatory paradigm.

It stipulates that 5 years after the act is enacted, the business actor only has two options to give information on its products, that is halal and not halal, or the business actors will get sanctions. Prior to sanctions imposed by 2019, all products must begin registering their products to obtain halal certificate.

In addition, halal certified obligations on small and medium-scale food products are made to provide certainty about inner peace for consumers is not only muslim consumers but also non-muslim consumers. Food that have been halal certified means

the food has obviously contained nothing unlawful in it, then it will feel more comfortable in consuming it[25].

Based on the research finding, halal certificate has been done recently reaches a small portion of small and medium industry food products. This is due to lack of information about halal product guarantee system.

However, at least small medium industry products that use halal label also affects the declining competitiveness of domestic products in the domestic market, nationally and internationally. Finally, it will disrupt the smooth raising of national production in improving the country's economy as it is felt today[26].

Based on the research has been done, there are several small and medium industries do not care, although it will be obliged to halal certificate, in accordance with Law Number 33, 2014 on halal product guarantee in article 4 states that "Incoming, traded in the territory of Indonesia must be halal certified ". This becomes an obstacle to implementation of Law Number 33, 2014 on halal product guarantee, because the small medium industries are difficult given understanding.

Moreover, it is important for perpetrators of small medium industry to know that food rightfulness are able to be seen from four aspects, they are, *first*, halal is seen from the way to obtain it, *second*, halal is seen from the basic material, *third*, halal is seen from the production process which is not mix with unlawful product, *fourth*, halal is seen from its packaging[27]. This is a requirement to obtain halal certificate as mentioned in halal product guarantee regulation, but perpetrators of small medium industry do not know it yet.

Small medium industry adherence to halal product guarantee regulation is still very low. Although the obligation of halal certificate in all products circulate in Indonesia will still apply in 2019 based on Law Number 33, 2014 on halal product guarantee, but as long as this act is enacted since 2014, it has not shown any significant progress on halal certificate products in circulation, especially in food products of small medium industry.

The low level of small and medium-sized industries have complied yet about halal product warranty act is due to the lack of knowledge of regulation. The social condition of society who also do not know the rules regarding the guarantee of halal products also have an influence on the adherence of the perpetrators of small and medium industries. It is because the public also plays an important role in the socialization and supervision of the products in circulation for the implementation of halal product guarantee based on law number 33, 2014 on halal product guarantee. However, the perpetrators of the small and medium industry declare to abide by the act if there is an order or socialization from the

government regarding the obligation of halal certificate. Most of the small medium industries who are lack of information about the latest rules or information they are who less actively seeking new information or they who do not follow the existing forums.

Based on the Law Number 33, 2014 regarding halal product guarantee article 23, it is mentioned that: Business actors are entitled to obtain information, education, and socialization regarding the JPH system; coaching in producing halal products; and service to obtain halal certificates in a fast, efficient, affordable, and non-discriminatory manner.

It affirms that every business actor has equal rights in terms of socialization, coaching and service. The main disadvantage of halal labeling and certificate programs has been the weak socialization of government, business and community, then, it hampers the program. It is necessary to formulate the system, information media and socialization of halal labeling and certificate programs directed at the three main objectives mentioned above.

Nowdays, the perpetrators of small medium industries who have had halal certificate, considers that halal certificate is dependent on the desire or awareness of each perpetrator of small medium industry itself. They still use the voluntary paradigm in terms of halal certificate. The small medium industries who have had halal certificates also made an extension of their certificate and did other obligations based on the existing rules. It is based on article of 25 of Law Number 33, 2014 states that: Business perpetrator who have obtained halal certificate have to include halal label on their products; maintain halal product that has obtained halal certificate; separate the location, place and slaughter, processing equipment, storage, packaging, distribution, sale and presentation between halal products and unlawful; renew the halal certificate if halal certificate expires; and report the changes of ingredient to BPJPH[29].

H.C Kelman proposed the concept of obedience or legal compliance reformulated by Achmad Ali to make it easier for students to understand it, namely[30]:

Compliance is if people obey a rule, just because they are afraid of sanctions. The weakness of this type of obedience, because it requires constant supervision.

Obedience identification is if people obey a rule, simply for fear of good relations with other parties become damaged.

Internalization adherence is if people obey a rule, really because they feel that the rule is compatible with its intrinsic values.

Therefore, from the results of research has been done known that those who have had a halal certificate are those who want to develop the industry to a wider market. The guarantee of legal certainty of

halal not only promises a very significant economic value, but also has a very strong influence on the growth and future of producer's business and also affects the expansionary force in expanding the market network[31].

The explanation above is compatible with the concept of legal obedience according to HC Kelman, that is identification compliance, because the obedience is caused by the purpose of the implementation of existing rules to obtain a wide market network and if it not implement the rule then the impact on the bad market network expanded it. In addition, the awareness of the small and medium industry in implementing the regulation on halal certificate is also an internalization compliance. The perpetrators of the small medium industry realized that halal certificate is in line with their beliefs.

The current world economic development which is not limited by time and space, circulation of goods go so fast, especially in Indonesia is needed an institution that can guarantee halal or not of a product. Since 2015 up to now has begun a regional free market Southeast Asia called Asean Economic Community (MEA). However business actors should also interpret the importance of halal labeling on their product packaging, since halal labeling contains the responsibility of business actors to maintain the quality of their products to maintain trust and provide a sense of security for consumers, then, their products are not abandoned by consumers. Thus, halal certificate in Indonesia appears to be an obligation that must be fulfilled and as a symbol to fulfill the interests of the majority of moslems[32].

Moreover, based on data obtained from the Center of Reform on Economics (CORE) research team, it is known that on 2015 spends on halal products and services reaching more than USD 1.9 trillion, or grew 6 percents of halal products higher and services in the previous year. Thus, it is expected that in the following years halal industry in Indonesia will increase. Based on data obtained from the Director General of Islamic Community guidance KEMENAG RI, the ranking of countries producing halal products according to the Global Islamic Economy Indicator (GIEI) Indonesia is in 10th rank far below the neighboring state of Malaysia where it is in first place.

Ownership of halal certificate is a requirement to be able to include halal label then, it can be known that the manufacturer holds its certificate. In addition, halal logo must be shown to the public to be known halal or not distributed products. This regulation comes after the importance of halal certificate to protect the interests of moslems in Indonesia. Products from abroad must also be selected and for those who passed should put halal label in their products.

Moreover, in the implementation of halal product warranty and the implementation of halal

certificate activities should be seen as an effort to transform the divine concepts into real life, which can be operated in real life which gives and makes grace to the worlds.

IV. CONCLUSION

The perception of small medium enterprises food product regulator concerns to regulation of halal product warranty varies from one small medium industry to another. Some of them do not understand at all about halal product warranty act, there is just know but do not comprehend comprehensively and other comprehend comprehensively both from old rule and new rule about halal certificate. There are many who understand halal certificate is a certificate issued by the Indonesian Ulama Council, it is not from halal product security organization. The transition of *Voluntary* paradigm to *Mandatory* paradigm is also largely unknown. This is due to the lack of information and socialization and they are inactivity collect information about halal product warranty act.

The obedience of business actor of small medium enterprises products to regulation of halal product guarantee has been comprehensive yet in small medium industry. Several of them have complied with the rules by registering their products for halal certificate even though there is no obligation, because they realize the importance of halal certificate. However, some are ignorant and do not want to register halal certificate despite obligations. Even, many have not registered yet because there is no orders from the government yet. Because up to 4 years of law on halal product guarantee is enacted, there is no implementing regulation so that the law will be implemented thoroughly.

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Legal Protection in Fiqh Muamalah Perspectives and Civil Law Franchise Agreement (Studies on Franchise *Martabak* Hawaii Tulungagung)

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Abstract — The franchise essence is a business agreement involving two parties between the franchisor and the franchisee or in Islam known as *syirkah*. The business will result in a profit sharing between the two parties. This business practice cannot be separated from the rules issued by the religion which has been described by the *mujtahid* in overcoming the problems in the era of globalization. On the other side of the State of Indonesia is not an Islamic State, therefore the role of government authorities to curb the practice of this franchise is very important. To curb the rule of the State and the religious rule of the majority of Islam, therefore it needs to be examined from the standpoint of muamalah and civil. The method used in this research is research method with qualitative approach with field research type. The nature of this research is descriptive analytical. Legal protection and agreements executed by franchise parties in the *Martabak* Hawaiian franchise Tulungagung are in conformity with Fiqh Muamalah and Civil Law.

Keyword — Franchise (Franchise), legal protection, treaties, Civil Law, Fiqh Muamalah

I. INTRODUCTION

In this globalization era the all of world aspects grow rapidly. All aspects of science also shows that the science of one another also follow times as well as the science of economics. All the practitioners from each circle of science bring up their latest ideas as well as cooperation with the franchise system. Of course with the development of scholarship that contemporary can provide welfare in the field of economy for the surrounding community.

The economic aspect of economics includes the fundamentals of life, from the beginnings of needs, economic principles, economic fields that are all inseparable from daily life. In general, this

franchise business involves franchisors to legalize their patents to franchisees within a certain period according to the agreement of both parties. The granting of such rights is better known as the franchise agreement. This business is obtained through a license, granted by the franchisor by granting permission to the licensee to perform one or a series of actions against the protected product / service and to receive compensation from him called royalty.[1]

License is a part of Intellectual Property Rights protection (IPR) which has been approved by Member States world trade (World Trade Organization-WTO).

Government Regulation No.42 of 2007 concerning Franchise in article 1, paragraph 1, provides a definition that Franchise is a special right owned by a person or an individual or a business entity to business systems with special characteristics of business in order to market goods and / or services that have been proven successful and can be utilized and / or used by other parties under the Franchise Agreement. [3]

The regulation that has been made by the government is a form of protection between the two parties that make it, the legal relationship between the two parties involved in the agreement and set forth in the operation of the work then the agreement will be a law for them (the principle of *pacta sunt servanda*). [4] The emergence of a business with a franchise system that has involved two parties, with the covenant bond they have created will certainly give rise to the rights and obligations of each party that is unionized. Therefore, it is necessary to provide protection for those who associate so as not to cause harm between one party. Based on the view of Shariah Economic Law, Franchise has the same meaning as *Shirkah* or *Musarakah*, which has the meaning of: akad done by two or more people to make cooperation in running a certain business with each party contributes funds. (or charity / expertise) of

the agreement that profits and risks will be borne together in accordance with the agreement in the agreement. [5]

In addition, in its application, the franchise business is a business based on the principle of cooperation by providing benefits between the two parties. Since the mechanisms under way must be in accordance with the agreements that have been made, then all the terms and conditions are based on the agreement. So it is important to understand and understand how the mechanism made by the franchisor or franchisor. Therefore there will be no fraud or actions that will harm either party.

Basically a franchise is a term that has the same understanding with the franchise. At first the term franchise was introduced by an educational and development management institute (LPPM). While the term franchise is a combination of two words "wara" which means more / special, and with the word profit which means "fortune". Therefore, if combined franchise has the meaning of a special business that has more profit. [6] Franchising is a business system that occurs between both parties on behalf of the company as well as on behalf of individuals to undertake a partnership in a particular business field. From the cooperation relationship, one party becomes the franchisor (franchisor) who has a well-known brand and can be marketed and profitable. And one other party becomes the franchisee who will run a business using a brand owned by the franchisor.

Following the agreement to enter into cooperation, the franchise agreement was formalized as a form of legal force for both parties. The franchisor then grants the franchisee the right to run a business on goods or services based on agreement in a written agreement. In addition, the agreement also contains certain benefits as a profit on the business undertaken which is then agreed upon by both parties. [7]

Government Regulation No. 42 of 2007, Article 4 states that the franchise should contain the following clause:

- Identity of Parties that enter into franchise agreements, both franchisees and franchisors.
- Position of the Contracting Parties which shall sign the agreement. Neither the franchisor nor the franchisee.
- Explanations relating to intellectual property rights or related to the characteristic of such products.
- Rights and obligations of the parties and facilities obtained.
- Location Marketing, franchisor may choose to determine the exact location to market the products it runs. Because the franchisor has a rough knowledge of the marketing project, so there needs to be coordination related to the

place to be marketing the product. By choosing strategic oasis and easy to reach.

Time, in general the time period given by the franchisor to the franchisee is for 5 years. However, if at any time may make an extension of the contract with the record has met the terms and conditions set.

Settlement of disputes, the existence of established cooperation does not cover the possibility of wanprestasi or other things either from the franchisor or from the franchisee. The existence of this clause as a means to provide a choice of solutions in resolving disputes.

The reasons for the termination of the contract / agreement, not necessarily the parties may terminate the contract unilaterally, it is necessary to point out the explicitly related to the end of the contract on cooperation in the franchise agreement.

Compensation may be made by the franchisor (franchisor) or the franchisee, depending on which party violates the contents of the agreement.

Payment methods, depending on each franchisor, can be done at the beginning and ending even done with the installment system.

Related to the use of the product must be in accordance with the provisions and applicable standards, both on product management and brand usage to be performed.

Franchisor provides coaching, training and guidance to the franchisee. This form of coaching is done as a means to maintain the brand and characteristic of products owned by the franchisor. [8]

One of the businesses that use the franchise system is *Martabak Hawaii Tulungagung*. In the implementation of the franchise agreement which is then agreed by both parties both franchise recipients and franchisors. The legal consequences of such an agreement will give rise to the responsibilities that both must have. So that will create a protection during the contract is executed in the form of a franchise agreement. Therefore, in this study, the main focus in the study is the form of protection provided by the franchisor (franchisor) to the franchisee by looking from the point of view of muamalah fiqh and civil law.

7 II. METHOD

In this study, the research method used is qualitative approach with field research type. The nature of this research is descriptive analytical. Primary sources used in this study are journal journals, journals about franchising (franchise) as well as secondary sources used from several books that in sync with the studied discussion. While the data collection techniques used through direct observation

at the location of the study, documents and also some data that sourced from the journal. In addition, data collection is also done by visiting Franchisor and Franchisee locations in *Martabak* Hawaii Tulungagung to ask permission to conduct research on franchise business about Legal Protection against Franchisee in general. Starting from work system to special into the agreement and legal protection.

III. RESULT

The existence of a franchise business that runs in the realm of the growing economy and can be said to be a source of promising benefits. Because the uniqueness and its characteristic are able to compete in the market economy both traditional and modern. Thus, if an entrepreneur wishing to conduct business under a franchise agreement must be in accordance with the terms of the agreement. The main legal basis in this agreement comes from civil law which in fact becomes the main reference in making the agreement. In the context of this research is concrete evidence that the *walabara* agreement in Hawaiian *martabak* franchi⁷ is in conformity with the ground rules.

Based on the research, the following research results can be obtained:

The implementation of the agreement between the franchisor and the franchisee has been carried out in accordance with the terms of the agreement.

Protection The law provided has been run in accordance with Islamic and state religious principles in the franchise agreement.

From both points, it can be analyzed as follows:

A. The implementation of the agreement between the franchisor and the franchisee has proceeded in accordance with the terms of the agreement.

This form of franchise agreement is a form of sale and purchase, meaning the franchisee gives some money to buy products and permission to market a product or brand from a franchisor. So in the mechanism to be executed by the franchisee (franchisee) must be in accordance with the stipulated. Nevertheless, the agreement can be run in accordance with the contents of the agreement that has been agreed upon both. Franchisor does not necessarily release the franchisee just like that. Because during the period of the franchisor agreement provides regular monitoring and evaluation.

It is evident that the franchisor still provides a form of concern for the progress of the business undertaken by the franchisee. Not only long-term evaluation and monitoring during the agreement. However, after the contract is signed, the franchisor provides several facilities such as providing training on how to process and make Hawaii *martabak* in accordance with the provisions and SOPs that have

been set. This form of training is done on a large scale with some business managers who will join together Hawaiian *martabak*. But another form of concern given by the franchisor is a pickup training facility. This means that the franchisee is located far away from a predetermined location for training or unable to attend at that time. So the franchisor will send the tentor who will visit the location of the franchisee.

Even after the joint training, the franchisee must implement the mechanism in accordance with applicable regulations. But nevertheless the franchisor gives freedom to the franchisee creativity *martabak*, both about the shape and toping that will be used. But the original characteristic of *martabak* itself must be kept well. Because it would include *wanprestasi* if it damages or alters the characteristics of the *martabak*. The purpose of the training is to improve quality in running Hawaii *martabak* business.

In addition, the franchisor also provides some primary equipment in the form of equipment in making *martabak* complete with the materials in a single cook as a supporter runs the franchise business. These materials include the initial cost of purchasing Hawaiian *martabak* brands. As for *martabak* franchisee are to buy basic ingredients from franchisor. The existence of flour in the supply directly from the franchisor is what makes characteristic *martabak* Hawaii can not be eliminated. Therefore, seen from some facilities provided from the beginning of the contract agreement until the training and business run *martabak* Hawaii tulungagung. It has been in accordance with the contents of the franchise agreement that has been agreed by both parties. Both the franchisor and the franchisee have performed their respective obligations.

B. Legal Protection Given Has Been Walked In accordance with Fiqh Muamalah and Civil Law.

The form of cooperation undertaken on the basis of business agreements has been in line with the principles of sharia. Although not clearly visible, but its sharia principles have been seen and can be verified. Sharia form is listed in the form of protection provided from the franchisor to the franchisee, it is in Islam has been mentioned that should be mutual protection among others. Especially in the bonds of cooperation are mutually interconnected.

The existence of other forms of protection, the absence of mutually won or defeated. It is not because the franchisor has greater voting rights than the franchisor. But the voting rights of the franchisor and franchisee are the same (50-50). Both of them may share comments or constructive feedback. Even the comments inside forms of criticism may be done too, as long as it relates to the business being run. In either case, both have the right to file a lawsuit if either of them has a *wanprestasi*. This has been

stated in the contents of the agreement which was then agreed upon by both. So that no party feels harmed, because both have a thing to act law. This is so that if in time when one of the parties did wanprestasi, then both franchisor and franchisee have equal rights to sue.

Associated with the existence of events out of control (forcemajeour) such as a fire or natural disaster. So the form of protection provided by the franchisor is to provide help to start the business from scratch. So with the incident does not mean just ending, but the form of care until things happen. To strengthen the existence of this forcemajeour, the franchisor also provides an explanation in the contents of the franchise agreement.

Although this type of franchise is a form of brand, the franchisor still provides oversight as an effort to see and review whether the running business still retains the brand or not. Form of supervision conducted periodically, seen how the progress of the business run until the loyalty in the use of the brand.

Because this form of franchise using the system of sale and purchase so that the business is run also there is no fee distribution in every periodic sales made by the franchisee, because the form of the transaction has been done from the beginning before officially opening the product. So whatever profit the franchisee does not take any profit. Only once in the initial transaction in the sale and purchase agreement. Therefore the franchisee can enjoy and run the business freely without heeding the fee to be given to the franchisee.

C. Franchise Agreement

Franchise business is a form of cooperation between both parties or more to run a business with the same brand and product. In general 3 components in the franchise are as follows:

Franchisor: is a party that has a product with a certain brand that already has provisions and SOPs that have been established (party giver) franchise.

Franchisee: It is the receiving party or the party who cooperates in the system agreement with Franchisor to run a business based on predetermined provisions.

Franchise: is a system or any method used to run the business itself by providing a product that will be made as the sales object to be given to the franchisee. [9]

Article 5 relating to the operation of a franchise makes it clear that the franchise in its operation shall be in accordance with a written franchise agreement made between the franchisor and the franchisee who has the force of law and applies to the laws of Indonesia. [10] The franchise agreement must contain a clause containing the grant of the franchisee to appoint another franchisee. The provision is that the franchisee already has at least one

place of business. In addition, in the franchise agreement must also contain a clause on the standard of product quality that will be executed. Including the implementation of the business mechanism that will do. It was made in writing in the agreement. [11] So with the written evidence will bind the two who have the power of law.

A franchise agreement must contain the rights and obligations of each party involved in the agreement. The right franchisee is accepting license, while the obligation is to pay royalties to the Franchisor and maintain the quality of goods and services in the franchisee. One of the main things in presenting the rights and obligations of the parties in the franchise agreement is the payment of the license used. [12] The franchise trade which requires an agreement between the two parties shall be in accordance with the principle of freedom of contract which states that any party involved is free to determine the contents of the agreement provided that it is not contrary to law, morality and public order. [13]

D. Franchising According to Fiqh Muamalah

Franchise business franchise alongside traditional markets where traditional markets meet almost all of the needs that will become the object of trading the franchise business. The needs of consumer goods can be obtained from traditional markets, shops or other outlets. [14] It can be seen that the franchise is a business that is run based on an agreement between the two parties, while the form of cooperation that occurs is a form of development of syirkah system in Islam. So with the agreement resulted in a cooperative relationship between both parties within the stipulated timeframe. This means that if the benefits will be shared for both parties. It is an economic principle in Islam.

In addition, in the franchise will also arise an agreement which resulted in both parties are bound in a contract. Therefore both parties are obliged to fulfill certain achievements. A bond of agreement under Islamic law must be met all the principles of muamalah complete with harmonious and legal terms in the agreement. In addition there are provisions in which contains mutual fulfillment of obligations in the agreement as well as some restrictions in cooperation not to commit sin. And the ability of all parties to act in legal action. [15]

Because in the franchise applied the principle of openness and caution in running a business. So in this case has been in accordance with the terms and covenants in the study of Islam, namely in the subject of the engagement called al-aqadain, or Object Engagement (mahallul 'aqd), there is also the purpose of engagement (Maudhuul' Aqd) as well as the existence of the consent and qabul (Sighat al-'Aqd) and the last of the ban on gharar transactions

(unclear). [16] The Qur'an in the letter of Al-baqarah verse 282 has been mentioned: "O ye who believe, if ye do not keep in cash for a prescribed time, you shall write it down." It is clear that in this verse is very firm emphasize to be written over a period of time.

A franchise agreement is a formal agreement made in writing. It aims as a form of protection for both parties who will. So in accordance with the written principle or kitabah in the verses that have been described. The purpose of the contract that is established with the agreement, it can be said that the franchise agreement is a contract associated with a particular object ('ain). It is so called because in its agreement to exploit certain objects in the form of intellectual property rights owned by the franchisor to the franchisee, so that the resulting legal effect is a transferable form of alienation (al-iltizam bi al-ain), either in the form of the object itself or in the form of benefits. [17] Regardless of the terms and conditions of the agreement, the Agreement shall not occur if one party is not linked, since the contract constitutes an engagement between the two parties through the agreement they have already entered into. [18] Akad is a legal confirmation between the two parties through a consent which states the will of the (franchisor) and kabuil the will of the party (franchisee)

So it can be argued that the franchise business (Franchise) in this study is not contrary to Islamic law and fiqh muamalah. This means that travel made in the form of the agreement does not deviate from Islamic law. The form of such agreement is permissible as long as the object of the treaty is not an act which is prohibited in the Islamic Shari'a. For example in the form of buying and selling illegal drinks or other prohibited actions. So if there is such case then automatically canceled according to Islamic law because it has been contradictory with Islamic shariah.

E. Franchising in Civil Law View

A franchise business is a contractual business that has legal rules as well as rules in other areas of the law, the study of contractual law in the franchise business can not be separated from the existence of principles or principles of practice established in article 1338, paragraph 1320 paragraph 1, paragraph 1338, paragraph 3, 1315, 1340, 1317, 1318, BW. The article is a set of rules of law which became the pillar for the building of the law of covenant. [19] In a law of agreement which has rules of law has been determined by the Civil Code has the character of Accessoir. This means that the parties involved in the franchise agreement are free to determine the contents of the agreement as long as it does not cross the boundaries as it does not violate the law, there is no compulsion between the parties, and does not deviate from the norms of public order and moral norms. [20]

In the core clause of the franchise business agreement of the cooperation agreement is to talk about the legal subject that makes the cooperation agreement. Referring to article 1315 BW which in essence the chapter speaks of "one can not bind himself on his own behalf or ask in keeping to the covenant for himself." [21] Hence from that a covenant is the determination of at least two or more persons, as well as shall not enter into an agreement on behalf of any other person, in the sense of being liable and accepting the right of not participating in the formulation of the treaty.

As with the rule of law on the principle of the agreement, and the franchise business is a business that requires a work agreement there are of course the rights and obligations that must be fulfilled and executed by the franchisor and franchise, among others, as follows: Rights granted by (franchise) franchise, among others: the use of prescriptions and specific methods of implementation, branding, annotations related to the duration and when necessary contract renewal, and all activities involving operational relationships when necessary.

The obligation of (franchise) as a reciprocal of the right that must be received by (franchisor) obtained from the franchise business results in accordance with the profit sharing agreement contract during the business is still operational.

All events relating to the case of sale of rights (franchise) to other parties. If (the franchise) has no desire to continue the sale of the franchise business, then beforehand should be discussed with the franchisor)

All matters relating to the franchise business resulting in agreement between one party and another, if the termination of the cooperation agreement is to be agreed upon and approved by the parties concerned.

Referring to the principle of the consensualism agreement as referred to in article 1320, the article states that the validity of a treaty shall be the agreement of both parties involved in the agreement.

In this study, agreements that have been made and signed by the franchisor and the franchisee have been in accordance with civil law. The above provisions are applied solely to maintain the balance between the franchisor and the franchisee recipient so that in the future not incurred dissatisfaction among one of the parties involved of this franchise business agreement. On the other hand the role of government authority is needed to provide rules about the franchise business let the people or the community do not abuse the rights and rights to avoid wansprestasi.

Franchise business is regulated in PP.(government regulation) no. 42 of 2007 which has the following conditions:

- 1) Has a distinctive business
- 2) Proven to give benefits

Have a standard for services and goods and / or services offered made in writing
 Easy to teach and apply
 There is ongoing support
 Intellectual Property Rights that have been registered Intellectual Property Rights related to businesses such as trademarks, copyrights, patents, and trade secrets, have registered and certified or under enrollment at the competent authority. [23]

The franchise business has a format for assigning anata licenses to another party, the license grants the rights to the second party as the franchisor to use the franchisor's trade mark or trade name using the entire package comprising the necessary requirements such as: from (franchisor), the stage of training for (franchisee), the ongoing relief process of the (franchisor). [24]

IV. CONCLUSION

Franchise Agreement is a mechanism of work in this franchise business is done based on the rules of the existing rules in agreements made together between franchisor and franchisee. And this franchise business implements no royalty system for franchisees. Because according to the franchisor if applying royalty fee it is equal to taking advantage by way of false. The form of protection provided by the franchisor to the franchisee is to provide a form of training and supervision periodically during the term of the agreement. Also given assistance from things that are not desirable, for example a force majeure, then the franchisor will be involved in it.

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Legal Protection of Consumer Finance Technology in Indonesia Perspective Positive Law and Business Ethics Islam

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Abstract — Technological advances play an important role for human life in line with the development of the times. The concept of technology in the field of banking called finance technology can increase the investment. The large number of finance technology has made the government begin to seek legal protection for consumer finance technology. This is to maintain unexpected possibilities when a transaction occurs. The research method used is library research with data analysis technique content analysis and critical analysis. The results of this research found that the importance of consumer protection law finance technology based on the philosophy of economic law as one of the control of economic activity. Consumer protection laws in Indonesia based on positive law provide rules on how business actors should treat consumers in accordance with the normative juridical value. Any transactions made through finance technology based on business ethics Islam must protect the religion, soul, intellect, descendants and property of the perpetrators as one form of human self-control over acts prohibited by religion.

Keywords — *finance technology; legal protection; consumer; positive law; business ethics Islam*

I. INTRODUCTION

Technology today becomes an integral part of one's life. Technological advances now have an important role for life. Many people realize that when they stutter against technology there will be a big problem. Therefore everyone is trying desperately to master every technological advancement that has emerged lately. Almost all transactions either financial or inter-family relationships are also done through technology. Survey of the Association of Internet Service Providers Indonesia (APJII) states that the number of internet users in Indonesia reached 143.26 million people or 54.68% of the total population of Indonesia amounted to 262 million inhabitants. This

means more than half the population of Indonesia has become internet users. With the rapid number of internet users in Indonesia is very possible the potential development of e-commerce in line with these developments.[1] The use of sophisticated mobile phones began to open opportunities for traders. Merchants started opening their businesses online. No longer just in the market or in the store. Many entrepreneurs who no longer need a physical store to trade their products. Without a physical store all merchandise can be demonstrated and sold for a price that is even more expensive than selling at a physical store. Profit obtained more and more and not half-hearted.

The presence of a mushrooming Smartphone in the community opens new opportunities for sellers to become closer to customers. Formerly the customer is not yet able to connect with the internet because not many who have smartphones, but with the smartphone a new opportunity began to emerge. Due to the emergence of this new opportunity the development of media as a means of buying and selling is growing very rapidly.[2] The development of buying and selling transactions that are now running online make many products are now no longer sold in stores. All products can be resonated and sold very quickly online. Smartphones can make things impossible into a possible thing.

It cannot be denied that the existence of technology is very influential on the economic system of society. Not only in Indonesia, based on research in Poland technology has implications for a new concept. In the field of banking the development of smartphones began to emerge the concept of finance technology and e-commerce. Naturally, finance technology is a form of startup concept. The focus of these two concepts focuses more on the innovation of financial services with a combination of technology. This concept not only

has the potential to increase the investment but also in the renewal of the banking system. Now banking is not only offline but also has entered the online realm.[3] The development of finance technology has now mushroomed everywhere. In line with the development of smartphones and regulations of policy makers worldwide. Example in U.S. Federal Reserve System (2015, 2016) or in the Federal Deposit Insurance Corporation (FDIC, 2016).

Indonesia as a developing country to take advantage of the moment of development of this financial technology. Many of the country's children started to start a business based on finance technology; ranging from asset management services, fundraising, e-money, payment gateway, P2P Lending, remittance, stock or insurance. Some examples of startup in asset management services such as jojonomic, fund raising Kitabisa.com, e-money there Doku, payment gateway is iPaymu, remittance there is SingX, stock there is no bareksa or insurance HiOscar. Not only in Indonesia was the development of finance technology has also entered India. There are also many types of finance technology in India are growing, including Zerodha, Faircent.com, Airtel Money, and Idea MyCash. Many of the actors of finance technology have a huge influence in the world of e-commerce in India.[4] In order to accelerate the development of finance technology, many of the technology-based entrepreneurs cooperate with the banks. Positive values that arise from this cooperation will further increase the turnover of the business finance technology.

Not only startup companies are starting to make new products, some banks in Indonesia are also beginning to develop the latest products in the field of finance technology. Bank BCA issued Sakuku and BTPN products with a product called Genius. Both types of finance technology has been issued their application since October 2016. Since the release of this product began to allow users to install applications Sakuku and Genius through google play store. Both Sakuku and Genius are in fact growing very rapidly and rapidly.[5] Development in the field of finance technology is still a problem for entrepreneurs that is infrastructure, regulation and collaboration. Many are unable to provide face-to-face process with the financial services provider. Although finance technology companies are able to operate their software on the other hand is weak in risk management, credit scoring and collection. This makes many countries begin to try to provide regulations or regulations to create legal protection to business actors as well as consumers. Not only in Indonesia, other countries also feel that legal protection is important to uphold in addition to the growing business growth in this field of technology.

UK began to develop an institution that handles and oversees the problems of finance technology.

The institution is called the Financial Conduct Authority (FCA). The task focus of this institution is to oversee banking players, credit players, financial developments and also startups that focus on finance technology.[6] Not only Indonesia and UK are starting to develop regulations on finance technology. Romania has also begun to feel that the regulation of the rising business is very important. Indeed, when viewed in urgency of the rule of law in a country is very important. Romania also has an institution engaged in the supervision of finance technology in the field of investment. Romanian Financial Supervisory Authority (ASF) and National Securities Commission of Romania (CVNM). Both are responsible for maintaining and protecting digital information systems from finance technology.[7]

Beginning of the development of a finance technology began around 1980. Since then began to change the system of recording data via computer. It used to be all put on paper and in the form of print outs so that everything grows in the room or warehouse. So to minimize it began recording data through computer systems that make it easier in the storage business. The development of financial services based on services with technology base is very fast and rapidly due to the development of its own technology running so fast and direct to the drastic direction. Now because of these problems the bank began to open new opportunities by doing services by involving the existence of information technology. If you stick to a business without involving technology then the bank will be obsolete and begin to be abandoned by consumers.[8] Nevertheless banking requires a high vigilance due to several technological developments developed.

The concept of finance technology and e-commerce is a form of collaborative startup of technological and financial developments. Finance technology is a form of startup concept which focuses more on the innovation of financial services with a combination of technology combined with the banking field. With this development is expected to facilitate the process of financial transactions more efficient and effective when compared with traditional financial transactions.[9] "Services include payment channel system, digital banking, online digital insurance, Peer to Peer (P2P) Lending and crowdfunding services." [10] Services performed by finance technology are of many types. There is an online investment, there is an online loan, or also a full online fundraising. The three systems are different from each other.

Recently, not only in the form of ordinary finance technology but also sharia. Although there is no huku rule that discusses about finance technology in sharia but has started emerging finance technology. Nevertheless there are still many concepts of finance technology that apply the use of

funds obtained from many people either in the form of donations from individuals or from an organization that is done with principles according to sharia. The collection of funds made also through online websites tailored to the concept of sharia. Many challenges to be faced in the development of finance technology are still in the developing stage.[11] Not only in the form of guidance on the process of implementation, but also the process in the issue of legal protection.

The advantages of finance technology compared with banks without technology there are many. Some of the advantages include the ease of access to data in financial service problems, the ease of reaching people in remote areas and also increasing knowledge about the increase of financial literacy in government.[12] Even though technology Finance has many advantages but also has some constraints. Constraints in doing scientific development is a lot of one of them come from the consumer.

Customer trust is not just about information about e-commerce sites and security protection issues, but customers are more interested in high-reputation e-commerce sites and the attitude of actors in treating customers is very important. Although not able to meet directly with customers but in fact it is more important than anything else to improve customer confidence.[13] Customer trust becomes an important thing when business finance technology is run. This virtual world business without the trust of customers cannot run in accordance with what is desired and certainly will not run long. Therefore, in running the business of finance technology required a high trust from their customers.

The form of business competition created by some finance technology triggered the emergence of new problems. The abundance of finance technology makes the government begin to seek legal protection. This is to keep the possibilities undesirable. What needs to be studied now is how exactly the legal protection for consumer finance technology in the eyes of positive law in Indonesia as well as Business ethics Islam. The purpose of legal protection for consumer finance technology is to protect their position as consumers who are often in a weak position.

II. METHOD

Type of research used is library research. The use of this type of research is expected to be used to obtain complete literature data, meaningful and more credible and more profound.[14] Sources of data used by researchers in accordance with the type of research that is literary or library research (library research) then in the form of literature from books, documents, journals or scientific papers. Primary

data were obtained from books on consumer law protection, finance technology and Business ethics Islam, while secondary data were obtained from books and other journals that were still related to the protection of consumer law, finance technology and Business ethics Islam.

Methods of data collection in literary research by digging literary information in the form of documents, laws and also about journals and books by using documentation techniques. Documentation techniques in literary research study various information obtained from within the document the outcome of an event or contain information, facts and data in accordance with the title research researcher. Literary information used by researchers is information on consumer protection law, finance technology and Business ethics Islam. In this study data analysis used content analysis (critical analysis) and critical analysis (critical analysis). Content analysis is a form of analysis of the contents of books, journals or electronic documents discussing the protection of consumer law, finance technology and Business ethics Islam.[15] Critical analysis is used to delve deeply about the government's rules on finance technology and Business ethics Islam.[16] Critical analysis is used to reveal the other side of a data derived from books, journals or electronic documents that discusses the protection of consumer law, finance technology and Business ethics Islam in more depth.

III. RESULT

The national economic development in Indonesia should use the foundation of a transcendental paradigm in every policy making. The existence of the transcendental dimension included in the value of postmodernism includes several things broadly. Its coverage includes religion, morality and ethics. This aspect needs to be understood perfectly and cannot be understood unilaterally.[17] This is the so-called philosophy of economic law, in which every decision-making in economic terms must be based on some important aspects of life. Cannot indeed take a policy that is judged legally without careful consideration. All aspects must be considered in decision making. The existence of appropriate regulation will minimize the monopoly efforts of a corporation. Because of the philosophy of economic law then the existence of consumers and business actors in carrying out economic transactions can run in accordance with the regulation and development of community life so as to create normative juridical value in each policy.

*A. Consumer Law Protection Finance technology
Perspective on Business Competition Law*

Consumers are parties who are often harmed when there is unfair business competition. The effects of unhealthy business competition often make the consumer suffer more loss in terms of material. Sometimes there is competition in the form of cheap price but poor quality. There are also cases of competition that make consumers loss in terms of other materials such as warranty or product authenticity. Business actors do various things to expedite their business without considering the position of consumers. If the perpetrators of this kind of business are not immediately followed up then what happens is that the community will suffer mass losses. Not only losses suffered by consumers alone, the circulation of goods in business actors could be more expensive than ever before. Surely it will affect the continuity of business undertaken by business actors. There is no denying that there are business actors who are indeed doing business competition in a healthy but some are not.

Laws dealing with business competition are necessary to avoid some business competition practices that may harm the public. Broadly speaking, this law discusses what actions are prohibited to do business to consumers. The existence of Business Competition Supervisory Commission (KPPU) is one of the forms of real implementation of this law. The problem of how exactly business competition in Indonesia has made many parties, especially consumers will feel disadvantaged.[18] Therefore, KPPU is expected to reduce the burden of consumers when encountering unfair business competition. Generally this law is used as a guide for business or consumers about how exactly how to do business competition.

Business competition in a finance technology business cannot be avoided. Often business competition occurs because many business actors are present with the same sales concentration of banking services. It is not possible that the existence of finance technology business is not focused on the same services but also different services. There are also who are from the beginning create different banking services. However, because the users of financial services technology is still not so great competition began to happen. This law seeks to show how the values of business competition should be done by business actors. Business actors should at least be guided by some of the values contained in this law that lead to fair business competition. Any business undertaken by a business actor may not impose any other business actors or take any action that could make other business actors lose money. Losses suffered by business actors are not only material losses but also non-material losses.

*B. Consumer Protection Consumer Finance
technology Perspective Consumer Protection Act*

The form of consumer protection based on the Consumer Protection Act is realized in the fulfillment of consumer rights. Consumer rights are obligations that must be given or done to consumers by business actors. Many consumer rights must be fulfilled by business actors. Not only provide convenience in service alone but business actors must provide the finance technology information that is correct, clear and honest information about the provision of services to be provided to consumers. In addition, it must also be notified to the consumer about compensation in the form of compensation or other things that consumers can receive if there is a problem.[19] In addition to paying attention to the rights that must be given to the consumer, the business actor must also pay attention to the actions that are prohibited by the business actors. Prohibited actions carried out by business actors, among others, undertake activities that are prohibited by the prevailing laws and regulations in Indonesia. The matter of finance technology is very dependent on the existence of electronic information that must be submitted completely in the website that serve as a place of business. Electronic information is an important item that serves as a medium of information so it must be really considered. Moreover, electronic information is information that can be recorded and used as evidence if there is a problem.

Other legal protection as stipulated in the Consumer Protection Act relates to the accountability that must be done by the business actors of finance technology. Such responsibility is for example the change of compensation that must be done by the business actor if doing activities that are not in accordance with what has been said previously. If the business actor postulates that what he is doing is the right thing then it must be proven that it is true. But if what is done by the business actor is a wrong thing then the business actor must also provide compensation in accordance with what has been done before. If indeed a problem cannot be solved with alternative dispute resolution then it must be done through legal channels. The law should indeed be the last step to be taken when a problem arises because the effects of law enforcement often make some parties feel a deep disappointment and also greater disadvantages compared to dispute resolution through consensus deliberation.

*C. Legal Protection Consumer Finance technology
Based on POJK Number 77 / POJK.01 / 2016*

According to this regulation, entrepreneurs in the field of finance technology should be able to conduct their business not alone. This means that in this business the form of its service provider is a

limited liability company or a cooperative. The organizer of finance technology is categorized in Other Financial Services Institutions. As a business entity, the organizer of finance technology must meet certain conditions before obtaining permission from the Financial Services Authority. Finance technology should not be established by Indonesian Citizens but can also be established by Foreign Citizens, although the maximum foreign citizen may only have an entire share but only 85% of it cannot be more. In addition, there is also a minimum requirement amount of capital to be owned that is Rp. 2.5 billion. Restrictions on loans granted by other Financial Services Institutions run on a technology basis are limited to Rp. 2 billion.[20]

Loans are limited in value due to the security of the finance technology provider. Legal protection by the state is not only for borrowers but also lenders in finance technology. Other forms of legal protection granted by the State to the people for the business of finance technology is through the existence of electronic documents. The electronic document in question is an agreement on the provision of information technology-based lending and borrowing services performed between the operator and the lender as well as between the lender and the recipient of the loan. The contents of the electronic document are the same as the contents of the agreement in general. Electronic documents held by the organizer must be maintained carefully by using correct electronic information governance and adapted to existing procedures. The management, among others, by using data centers and disaster recovery centers. Not only that should be considered about how the minimum standard of information technology systems and other technological risks that may occur in the future. Moreover, the confidentiality of an electronic document must also be maintained completely so that there is no secret from the recipients of the loan out. Nevertheless the organizers are allowed to exchange information with the parties that are invited to cooperate with the organizer. Consumer protection laws contained in the Financial Services Authority Regulation are not only used for consumers but also for business actors finance technology.

All aspects of banking from either the banking sector directly or the government must cooperate fully. Can not only rely on one party alone, all must cooperate fully. Not only from the financial sector or banking alone, but the college that prints the prospective business actors finance technology must also contribute important changes in the banking sector. This regulation provides protection opportunities for consumers to feel more secure and comfortable when doing financial transactions for all parties. It is undeniable that the existence of the Financial Services Authority Regulation is very helpful for business actors in the field of finance

technology to run business in the field of banking. In addition to protecting consumers also protect the business actors because this rule is issued to do the protection between the two sides.

D. Consumer Legal Protection Finance technology

Perspective Business Ethics Islam

Islam is the perfect religion in matters governing human relationships with Allah SWT and relationships with fellow human beings. Activities undertaken by fellow human beings are arranged in such a way that by Islam especially in terms of economy and business. Business is one item that can make people disputed. That's why Islam provides guidelines for its people in doing good business activities. Doing business in a good and proper way in Islam is very important. In addition to implications in relationships with humans also affect human relationships with Allah SWT. It seems trivial but if scrutinized carefully it will get a very big effect in business activities. Especially if in the long run will be very visible effect, if the short term is still not. That is why Muslims should do business guidelines properly in order to get a blessing in business as well in worship to Allah SWT.

"The soul of an honest person in it is a component of spiritual values that reflects various attitudes that always contain truth and a morally praised landscape."[21] Honesty is a key value that business actors must undertake. Allah SWT really likes honest people. The almost rare nature of lost in a business is honesty. Honesty in the business becomes something very strange. Islam strongly recommends to conduct business with honesty even heavy. Allah SWT is very fond of honestly done business and hates people who are not honest in doing business. The blessing of honest effort will bring about the mercy of Allah SWT. In addition to getting a blessing also get additional customers. Meanwhile, if the trader is cheating then will not get blessing and will reduce the customer.

Islam protects consumer finance technology law through honesty value. Because Indonesia has not implemented Islamic law, Islam is just a guide for Muslim business actors doing business. If one applies the law of religion as a whole then he will know how to put himself well in his business. The nature of trust is closely related to the nature of honesty. Amanah is a reflection of an act of honesty done by humans. "The nature of a person's mandate obtained from the education of sharia obtained, if someone gets a sharia education then he will always apply amana when given deposit".[22]

Consumer protection law finance technology next is in the principle of trust. With the principle of trust is expected business actors or consumers alike maintain mutual trust and not lie to each other. So that can be realized a form of good cooperation and mutual benefit without the thought to harm each

other. Amanah is one of nature nubuwwah. Amanah will give birth to a prestigious professional spirit. There will be no distortion either the consumer or the manufacturer. And the government provides supervision in terms of interaction between natizennya. Amanah will shape the economic climate and healthy competition.

The principle of Justice is the third principle to be done in life. "Justice in Islam is not a secondary principle, but rather a forerunner and a firm foundation underlying every instrument of life." [23] Justice asks humans to apply aspects of equality and balance between rights and duties. Islam also uses the value of bound freedom as a form that a business greatly upholds the value of justice. The principle of balance adopted in the principle of justice is a balance in the application of rights and obligations. Consumer protection law next finance technology is through the principle of justice. Allah Almighty advises in doing business to be just so that it will not harm consumers. Likewise business actors will also not be harmed by consumers as consumers do not perform their obligations.

The concept of existing finance technology in Indonesia should be able to implement the values of maqashid shariah. This can be implemented through the operational management of financial management technology. The principles that must be carried out in the activities undertaken in the finance technology, among others, is to be able to create prosperity (falah) and can help each other in goodness for the perpetrators. More specifically the role of finance technology should be able to provide a common misgiving for all Muslims. [24] Implementation of the maqashid of shariah should be applied in all economic practices carried out by humans. The values of maqashid shariah have covered various aspects that exist in the human's life.

The use of the concept of maqashid shariah includes the maintenance and enrichment of religion, self, reason, heredity and wealth has become the main focus of human in carrying out his life during the world. The five aspects above have become the main concern for the whole human being in the world especially Muslims. Religion occupies the ultimate place as an aspect of enrichment and maintenance compared to the other four aspects. However, the other four aspects should not be ignored, but must also be observed, nurtured and made as a foundation in the economy. [25] This is what distinguishes between Islamic economics and conventional economics, where the Islamic economy makes many foundations in decision-making in economic matters.

Human judgment in the determination of economic policy based on the five maqasid shari'a is sufficient to prevent many harmfulness in terms of muamalah or morality aspect. The concept of

maqashid shariah if it is really treated in government can create a welfare in human life and have a wide impact in a plural society. [26] Islam is a religion that covers all aspects and can embrace all circles. If the Islamic economic principle according to Islam can be fully implemented then it can be ascertained that the economic system you are running will bring you to a welfare that is wide.

IV. CONCLUSION

Legal protection for consumer finance technology in Indonesia includes positive law and Business ethics islam. The philosophy of economic law has an effect on policy making in the field of positive legal regulation to create normative juridical value for all players of finance technology as well as consumers involved in such transactions. The positive laws governing the protection of consumer finance technology law include the Law of the Republic of Indonesia Number 5 Year 1999 on Business Competition, Law of the Republic of Indonesia Number 8 Year 1999 concerning Consumer Protection and OJK Regulation Number 77/POJK.01/2016. Consumer law protection in the Business Competition Law discusses the business competition conducted by the business actor shall not to the detriment of the consumers or the public. The Consumer Protection Law regulates the problem of consumer law protection through the fulfillment of consumer rights and obligations of business actors, if it harms the consumer then the business actor must be prepared to provide compensation. While in POJK Number 77/POJK.01/2016 is regulated on how the criteria of business actors finance technology, this is to avoid any abuse of business from business to consumers. Business ethics islam if used to be a guideline for the delivery of finance technology transactions can result in a business that can benefit people. Every transaction done on the basis of Business ethics islam always puts the protection of the religion, soul, mind, descendants and property of every human being. The implementation of Business ethics islam with principles of honesty, trust and justice in doing business can be worth worship to the value of universal value that is transedental and moral perfection, even though practice interact with fellow human beings.

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Legal Protection Pay Per Click On Business Transactions In Indonesia Perspective Civil Law and Law Muamalah

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Abstract - The dynamics of knowledge and the needs of economy and business increasingly rapidly, especially in Indonesia as a country with a majority of the population of Islam. This has an impact on the development of models of business transactions that are innovative and popular among Indonesians in modern times. Pay per click as a model of business transactions is quite effective today has a significant impact that benefits the community in conducting economic relations. Because it is considered as an economic instrument that brings many benefits, then the pay per click analysis in the legal framework is very interesting to study with consideration in Indonesia apply positive law as well as sharia law. In the context of positive law, pay per click is governed by a civil law in which civil relationships are governed. While in the context of sharia law, pay per click is set on the law of muamalah which contains two meanings of human relationship with God (*hablumminallah*) and other meanings of human relationships with one another human (*hablumminannaas*). For that with a variety of legal protections that regulate it, then this article is interesting to be studied more deeply about how aspects of civil law and muamalah legal aspects that govern pay per click in order to clarify the rules for those who do this business transactions. Therefore, in analyzing this research method is qualitative research by using statute approach and comparative approach which look at the comparison of civil law with muamalah law in order to clarify the rules in each of these areas of law. With this research, it is expected that readers are wiser in understanding, and conducting economic activities without any interference with existing regulations so as to create harmony among peoples.

Keywords: *pay per click, business transaction, civil law, muamalah law*

I. INTRODUCTION

Human life becomes easy since the existing of Internet. The activities which are done by the human become easier, faster, more efficient, as we know as *Dunia Maya*. Indonesia grows more modern. Nowadays, many people have implemented Internet-based technology (cyberspace), Web and wireless to change their business. For more than 15 years since the creation of the first website by Sir Tim Berners-Lee in 1991. [1]

One of the development is in technology, information and communication. The form of the information and communication technology development is Internet (interconnection networking), a connection between computer networks. Nowadays, the internet usage has entered various human activities, such as in the political, social, cultural, economic and business sectors. [2]

The rapid development of technology and information makes the Internet as a communication tool that is widely used by the community. By existing the information technology and communication development, people have no problem with limitation, distance, space and time. Today, the development of information technology as if change into basic needs in the joints of life. Many people, especially urban communities and some rural communities begin to change how to get the information needed and move to follow the current era, they prefer to choose practical things without spending energy and money.

Based on survey results, internet users in Indonesia by the Association of Internet Service Providers Indonesia (APJII) in 2017 is 143.26 million or about 54.68% of the total population of Indonesia amounted to 262 million population of Indonesia. While based on age, most users are 19-34 years old or 49.52% of the total Internet users in Indonesia. While the highest order after is 35-54 years or about 29.55%, followed sequence thereafter, age 13-18 years or about 16.68%. while the lowest order is 54 years old and above or about 4.24%.

The complete usage of the Internet is not only used in certain cases, but also many human activities using the Internet, as an entertainment such as playing games, business transactions, or just for making money. From the data which were obtained by the Association of Internet Service Providers Indonesia (APJII) in 2017, shows that the use of internet in the sector of economic percentage is mostly used for searching price of goods is 45.14%, assisting employment is 41.04%, finding a buying information is 37.82 %, buying online is 32.19%, seeking job is 26.19%, banking transaction is

17.04% and the lowest usage is for selling online sale which is about 16.83%.^[3] To make a business success, it is needed a way to develop the business by promoting or advertising the products in order to make the products are known by many people, so the potential selling of the product is increase.

As the existing of internet usage development, an alternative way to develop business to earn income. It is used the internet media as a way to promote the product, or the term is Online Marketing.

Online marketing is an alternative business done to market a product or service.^[4] By putting the advertisement on internet-based applications, such as websites, blogs, or social media. even from the ads that are installed on the internet-based app, if the ads posted get visitors or clicked by visitors, the website owner or ad space provider will earn dollars.^[5] This kind of revenue model is called Pay Per Click. Since its emergence, pay per click (PPC) becomes the most populer way a to gain rupiah. Many PPC service providers which are from Indonesia as well as abroad. Most people prefer to choose PPC from Google, because it is easy to use. It also has trustworthy search engine.

Although advertising on the internet becomes the most widely and easily done, there is still the negative side of an advertisement posted on the internet, such as viruses, malware and spam that infect websites and advertisements installed, so that it disadvantages people who want to click on the advertisement.

The more ways to earn an income through the internet, the more demands given to the government to make a policy related to this case in order to avoid the entrepreneurs run out of the rules and break social order.

II. METHOD

The type of research which was used for this study is normative research. The study used a statutory or statue approach. Besides the legislation approach, comparative approach was used to compare between civil law and Islamic law. The researcher used qualitative approach to multiply the analysis and withdrawal of a conclusion to the use found.^[6] In addition, the analysis which was used in this study is the content analysis method^[7] and Critical analysis^[8]. This method was used to examine the contents of a document and to describe and deeply explore the existing data to provide judgments, views and considerations. Primarily related to the legality of Pay Per Click (PPC) in Indonesia the perspective of civil law and Islamic law.

Data collection method which was used in this study is documentation because it looks for the real form of an information, in addition, in the form

of written information is books, journals, or other written information.

III. DISCUSSION

The intensity of internet usage in all members of society is increase. It is not only in Indonesia but also in other countries, they use the internet for earning money. By the internet, a lot of people innovate to obtain or develop a business. One of the activities they done is promote and advertise their product on the internet. It is known as Online Marketing.

The Government of Indonesia has established a rule to protect every citizen's rights through Law Number 39 of 1999 on Human Rights. The rule contains the freedom for the citizens to shows their expression and innovation. Then, on the same law which is in the chapters 4 and 9, it is explained that the right to life and to improve the standard of living is also protected by the government.^[9] From there, the freedom to innovate the model and the Indonesin citizens way to survive are protected, not exception, in the terms of developing business which are promoted via internet media.

In the Civil Code, the rules of a Sale and Purchase Agreement transaction are governed in Articles 1457-1540. Those articles contain the understanding of a sale and purchase transaction to the obligations of the parties to fulfill it.^[10] The model of revenue which were gained from advertising services is electronic media, called as electronic transactions. In this matter, the Law has regulated it in the general provisions of Law No.19 of 2016 on Information and Electronic Transactions is : "Electronic Transactions are legal acts committed by using Computers, Computer Networks and / or other electronic media."^[11]

A. Overview Pay Per Click (PPC)

Pay Per Click (PPC) is a method of payment for those who enter into an online marketing service. this is a product marketing effort through advertisement in pairs in website or blog page, by paying rupiah based on count of each banner advertisement and also written which is clicked to publisher. According to many webmasters, this is the easiest way to get visitors. By joining the sites of ppc service providers, there are many service providers which are commonly used by the people is Google with its Google AdWord and Chitika.^[12]

B. Pay Per Click (PPC) in the Overview of Private Civil Law and Law

Business Advertising is an advertising business that uses *ijarah* model (rent) because one of the society used the tool to make a profit (read: Space advertisement). In the Civil Code provided in

article 1548, the meaning of rent is the Agreement of binding it to the enjoyment of an item to another for a certain period of time, with the payment of a price agreed upon by the lessee. In the practical, advertisers rent advertisement space of Blog or Website owner (Publisher) to display advertiser advertisement in Blog or Publisher website through service provider. Looking at from the agreement applied to the Advertising business, it is seen that the object being transacted is advertising space. In accordance with the provisions of the object of transactions in the Compilation of Islamic Economic Law (KHES) article 318 states that Ma'jur (object rental) must be *kosher* or *mubah*, must be used for things justified according to *sharia* (Islamic law) and Any object that can be made object *bai* (sale and purchase) can be made *ma'jur* (object rental).^[13]

Concerning the Agreement or the willingness of the parties in this case may be viewed when the party registering with the PPC service approves the contents of the Term Of Services contained in the registration form by Checklist (✓) or checks it. Regulations concerning Term Of Services or contracts in electronic transactions are contained in article 18 paragraph 1 of law no.11 of 2008 concerning information and electronic transactions stating that Contracts poured into Electronic transactions are binding on the citizens. and Article 20 which reads Electronic Transaction occurs when the transaction offer submitted by the Submitter has been accepted and approved by the Beneficiary and the approval of the Electronic Transaction offer as intended shall be done by an electronic acceptance statement. This is in accordance with the legitimate requirements of the contract within Islamic law, that the consent and *Kabul* are not necessarily speeches, but the writings, deeds and gestures can also be used as *Kabul* *sighat*.

all forms of consent and *Kabul* have the same strength value. in KHES has also been mentioned concerning *sulatan* in *Kabul* in article 25 verse 2 which reads " *akad* can be done clearly, either orally, in writing, and / or deeds".

The subject of the perpetrator this online advertising business, the perpetrator is a legal person, in accordance with Islamic law stating that the perpetrator must be a competent person, meaning the offender is the person who can accept and account for the consequences of the business being carried out. Furthermore, in article 23, paragraph 2 of the Compilation of Islamic Economic Law (KHES) has been mentioned, that "the person who is devoted shall be lawful, intelligent, and *tamyiz* (able to distinguish good and bad)", and article 301 which reads "to completing the *ijarah* contract process, the parties who commit the contract must be capable of performing legal acts. Because with the *'aqid* must be people who have

tamyiz, or rational, means that the parties are capable of being responsible for what has been done and also can accept the consequences of the law.

Then the goals or benefits achieved from the contract is for the sake of business development undertaken by each party. Where Advertisers need advertising space to market their products, while Publisher aims to get income from providing advertising space for prospective Advertiser. This is in accordance with article 25 KHES which reads "Akad aims to fulfill the life necessity and business development of each contracting party".

This Pay Per Click (PPC) Agreement terminates if Advertiser does not pay a deposit after the first deposit has been spent, or the advertiser's advertisement contains elements that are prohibited in the deal (Term Of Services) so that the service provider can disable Advertiser account as an advertiser. This is in accordance with article 320 KHES which reads: "Ijarah ends with the end of the *ijarah* time set in the contract." Islam regulates the content or content of the contract object, ie the object of the contract should not contain elements of things that are unclean, not useful or things which violates *Shari'ah*. Likewise in the Criminal Code Article 1570-1571, the lease shall expire in accordance with a written agreement or notice of either party if the agreement is not in writing.

Object transactions in online marketing services is advertising space. As mentioned in KHES article 318 verse 1 that *ma'jur* (object of rent) must be *kosher* or *mubah* object. In order to avoid default by one of the citizens , in the law no.11 of 2008 on Information and Electronic Transactions, in article 17 paragraph 2 mentioned "The people who make Electronic Transactions as referred to in paragraph (1) must *beriktikad* good in exchange Electronic Information and / or Electronic Documents during the transaction ".

IV. CONCLUSION

Basically the principle of *Mu'amalah* in Islam is permissible, any model, unless found the proposition or rules that is forbidden. The Qur'an gives the suggestion as well as the limit which means: "Hi people who believe, do not eat one another's treasures in the way of vanity, except by way of commerce that applies equally among you". (QS An-Nisa ': 29) Earnings through Pay Per Click (PPC) starting from the engagement model used, the workflow, to the transaction object in terms of civil law as well as Islamic law does not violate existing regulations, it remains for the parties, as well as internet users should still be vigilant, because it could contain a prohibition content by civil law or Islamic law , in the advertisement space which is contained in the the website and blog. If that case occurs, there are punishments for the parties/ citizen who transact in accordance with civil law applicable

in Indonesia, as well as the legal consequences associated with religion and norms.

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Liquidity Management of Islamic Banking (The interpretive study of Islamic Bank in maximizing asset portfolio and efficiency)

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Abstract - This paper is based on the dynamics of Islamic banks in managing operations. Islamic banks are required to be able to run a healthy operation. The Islamic Bank ensures that there is sufficient funding, low cost and has a smooth and profitable of asset portfolio. However, Islamic banks are required to meet both short-term and long-term liabilities. This condition requires good management so that the objectives of Islamic banks are achieved, and the operation runs smoothly. This paper is analyzed by a qualitative approach with the type of interpretive research. The interpretive type is intended to interpretation data of liquidity management. The results of this paper are first, liquidity is managed effectively and efficiently by maintaining High Quality Liquid Asset (HQLA) with cash ratio instruments, placing surplus funds into SBIS, FASBIS, PUAS, SBSN or exploring sources of funds in PUAS and FPJPS. Second, Liquidity management must be balanced with asset portfolio management so that it will have a positive impact on the achievement of operating income and efficiency. This paper is expected to give thought to the manager of Islamic Bank to always maximize the management of liquidity, assets and efficiency so that profitability can be achieved.

Keywords: *Liquidity Management, Asset of Portofolio, Efficiency, Islamic Bank.*

I. INTRODUCTION

Islamic banking requires regulation of funds held for Islamic bank operations to comply with the principles of compliance with the rules of the Central Bank and the authority of Islamic financial services. Fund management arrangements by Ramzan and Zafar [1] will maintain the health of Islamic banks. However, the condition of a bank's asset strength will determine the chance for control over liquidity management. The Islamic Bank always maintains its liquidity in terms of meeting short-term needs. Among them is the need if there are customers who take the deposit at any time.

Indonesian Islamic Banking Statistics (November 2016), indicating that, Wadi'ah Deposit

has a slow development. Wadi'ah deposits climbed up in June 2016 amounting to 35426.76 billion rupiah. But after the month decreased, so did in the following months. In contrast to deposits of Mudharaba with the characteristics, depositors receive a share of the profit-sharing ratio on managed funds. In January 2016, deposits of mudharaba amounted to 56582.27 billion rupiah and in March fell to 56360.10 billion rupiah. The following month increased slowly, and increased sharply in September 2016 for a total of 71979.10 billion rupiah. Deposits of Wadi'ah and Mudharaba, each consisting of Current Account and Savings Account. This means a great opportunity that the funds are taken at any time.

Wadi'ah and mudharaba deposits have the characteristics of savings that can be taken at any time. So this deposit is appropriate that must be prepared easy to melt (liquid). This should be considered for future financing management policies, so that liquid funds can be detected in advance. Liquidity problems arise only when fluctuations in funds do not correspond to fluctuations in demand for credit. Thus it is necessary to be prepared by providing funds that can be used to anticipate the withdrawal or disbursement of financing. Liquidity in this study is measured by the ratio, ie current assets divided by current liabilities. Companies that have healthy liquidity at least have a current ratio of 100%. Frianto (2012), Liquidity Ratio is measured through; first, is a ratio that states the ability of a company to be able to meet its obligations in the short term.

Funding and financing efforts are directed to the development of an asset portfolio so as to increase profits. The study of Wibowo, Satriyo, and Syaichu (2013) [2], that the size of Islamic Bank's profitability is negatively and significantly influenced by operational costs. While CAR, NPF, Inflation and Interest Rate do not have a significant effect. The study of Dewi, Rahma, and Prasetyono (2011)[3] Hakiim, Rafsanjani (2016)[4] that the factors affecting profitability are NPF, Operational Efficiency Ratio (OER) has negative and insignificant effect. While the CAR and FDR variables do not significantly affect the profitability.

Where profitability measures used are ROA. The study involved the FDR variable as an indicator of liquidity management. However, Hakim's review that Financing to Deposits Ratio (FDR) is negatively and statistically not significant on the profitability of Sharia Banks. Liquidity management and total financing are equally important Islamic Bank assets. However, under present conditions, when inflation is high, national economic growth is limited, it is important to examine more closely the impact of liquidity management and profitability of Islamic Banks. Ramzan, Zafar (2014)[1] in his study on managing the liquidity risk of Islamic banks in Pakistan explained that assets that can provide control over liquidity management. While other variables that are Capital Adequacy Ratio (CAR), ROA, ROE does not significantly effect for liquidity management. In this research, to know profitability, hence required independent variable in the form of liquidity want to be tested by using instrument current account.

II. METHOD

This paper is written with a qualitative approach. The type of research is descriptive interpretative. Qualitative approach is useful to explore the implementation of liquidity management at Bank Islam in Indonesia. The interpretive descriptive type serves to describe and interpret [20] any instruments related to the management of liquidity. This is expected to reveal ideas and ideas in an effort to manage the liquidity of Islamic banks. Interpretation is done by analyzing the reality of liquidity management with the theory and research that has been done and also interpretation based on the understanding and ideas of researchers, so that more widely expose.

III. RESULT

Liquidity according to Pandia [5] is the ability of a person or company to fulfill obligations or debts that must be paid immediately with a smooth loot. Islamic bank meets the liquid element if it has the ability to pay withdrawal of demand deposits, savings, time deposits, bank loans that are due soon, fulfillment of financing requests without any delay. The Islamic Bank's liquidity requirement is not only related to the fulfillment of the primary reserve, but also the fulfillment of the secondary reserve. Current paid liabilities show that the operations of Islamic banks are running smoothly. This condition will increase public confidence in Islamic Bank. The provision of short-term liquidity should be sufficient and not excessive, since it will have an impact on idle assets, not providing income for Islamic banks. This is the importance of secondary reserve so that when needed funds, the secondary reserve can be disbursed quickly. This

means that the main laden secondary reserve is marketable (having ease of sale).

Fundamentals of Liquidity Management

The fulfillment of liquidity needs of Islamic banks is regulated by the Financial Services Authority. Liquidity under the Law [6]] is an instrument of measuring the soundness of a bank under the supervision and regulation of the Financial Services Authority. Liquidity according to the Financial Services Authority [7] is an instrument of risk management in Islamic banks. Liquidity risk in risk management is defined as a risk due to the inability of the bank to meet the maturity obligations from sources of cash flow financing and / or of high quality liquid assets that can be mortgaged without disrupting the activity and financial condition of the bank. On this basis, the fulfillment of the liquidity aspect ensures the needs of the customers being served and the sustainability of the Islamic bank's operations are maintained.

Islamic Bank liquidity management according to Al-Qur'an [8] in order to fulfill the mandate of the customer. When customers deposit funds in Islamic banks have various preferences against Islamic banks. Some customers choose Islamic banks because of the service aspect and some others because of religious motivation.[1] This means that when Islamic banks expect safe liquidity, customers do not immediately take the money saved, then Islamic banks must provide good service to customers. While religion is the bank's luck, because of its belief, the customer chooses an Islamic bank.

Instrument of Liquidity Fulfillment

Obligation to fulfill the liquidity of Islamic Bank by POJK [9] as required to Commercial Bank is to compare between High Quality Liquid Asset with total net cash outflow over the next thirty days in the stress scenario. High Quality Liquid Assets (HQLA) are cash and / or financial assets that can easily be converted into cash with little or no value reductions to meet the Bank's liquidity needs over the next 30 (thirty) days in the stress scenario. While Total net cash outflow is the total estimated cash outflow less total cash inflow expected in the next 30 days in the stress scenario. LCR's lowest compliance is 100 percent on an ongoing basis. High Quality Liquid Asset (HQLA) forms are Cash, Debentures issued by Central Government, Securities issued by Bank Indonesia, Placements with Bank Indonesia.

High Quality Liquid Assets (HQLA) referred to in Islamic banking statistics can be described as: Bank Indonesia Wadiah Certificates, Bank Indonesia Sharia Certificates (SBIS), Shariah Short Term Financing Facility (FPJPS), State Sharia Bank

Certificates (SBSN) Interbank Sharia Money Market (PUAS).

Liquidity in Islamic banks can be identified from sources and allocations of funds, as well as from the side of the time frame. Liquidity is based on source and fund allocation consists of first, Deposit liquidity and Portfolio liquidity. Deposit liquidity is due to the fulfillment of public savings in the form of withdrawal of savings, demand deposits, and time deposits. While the portfolio liquidity occurs at the time of the demand for public financing so that how can be guaranteed to be realized immediately. The realization of financing will have an impact on the increase in financing income so as to increase the profit of sharia banks.

Efficiency of Islamic Bank

Islamic Bank has the main objective in business operations in the form of increased corporate profits and business sustainability. This effort becomes one of the linkage of the fulfillment of liquidity in the management of Islamic banks. The current fulfillment of operational services of Islamic banks increases financing. Adequate liquidity management has a positive impact on the creation of efficiency, thus minimizing outgoing costs and maximizing the volume of financing rounds. When customers' confidence in Islamic banks arises, customers will voluntarily save their surplus funds to Islamic banks.

Islamic Bank liquidity management in order to maximize asset portfolio and efficiency

Liquidity management measures against the management of Islamic Bank assets. Mohamad, Sulaiman, Mohamad, and Samsudin (2013)[21] view that liquidity management is a balance between withdrawal of funds by depositors, disbursement of financing and price hikes. Holding liquid funds has many positive and negative effects. Adequate liquid funds can increase customer confidence. Client's funds can be collected from time to time. Islamic Banking Strategy in meeting liquidity needs can be done by preparing primary reserve (primary reserve) and secondary reserve (Reserve Scunder). Primary reserves are anticipated by providing sufficient cash ratios. While the secondary reserves can be anticipated by digging in the form of securities that can be accessed through:

Bank Indonesia Wadi'ah Certificate (SWBI) [b] Bank Indonesia Sharia Certificate (SBIS) [c] Certificate of Bank Syariah Negara (SBSN) [d] Sharia Interbank Money Market (PUAS).

Bank Indonesia Wadi'ah Certificate (SWBI) is a monetary policy instrument based on Islamic principles to overcome the difficulties of excess liquidity of Islamic banks. Financially, SWBI is actually not profitable, but this placement is taken

by Islamic banks as a precaution when it requires FPJPS.

In 2012, 2013, the deposit products offered by Bank Indonesia are in the form of fund placements with Bank Indonesia. December 2017 fund placements with Bank Indonesia consist of Giro, SBIS, FASBIS and others. Paper Agustinar (2014)[22] mentioned that SWBI had a negative and significant effect on the provision of financing at Islamic Bank. That is, the deposit of funds in the form of SWBI is only to meet the compliance of Bank Indonesia. In order to provide financial benefits, Bank Indonesia issued a new facility in the form of Bank Indonesia Syariah Deposit Facility (FASBIS). This facility is based on Wadi'ah contract so it gives an opportunity for Islamic banks to get bonus.

Based on Sharia Banking Statistics, during 2017, the placement of funds by sharia banks in the form of FASBIS is fluctuating. The smallest fund placement occurred in August, amounting to Rp. 14,967 billion. While the largest placement of funds occurred in December. Average placement of funds of Rp. 20,538.83. When compared to total assets, the amount of fund placement is also fluctuating, in the range of 3.80% - 6.42%. The largest percentage occurred in December and the smallest percentage occurred in August bulls. Overall, the average placement of funds amounted to 5.23% of total assets.

Bank Indonesia Sharia Certificates (SBIS) is a monetary instrument that provides for depositors. This is intended to trigger Islamic banking to use these instruments when experiencing a surplus. The placement of funds by Islamic banks in the form of SBIS during 2017 is fluctuating. The highest fund placement occurred in September at Rp. 12,626 billion and the lowest occurred in June, which is Rp. 9421 billion. Compared to total assets, the amount of fund placement in SBIS ranges from 2.46% to 3.49%. The smallest percentage occurred in November, while the largest prosenstase occurred in February. If calculated on average, placement of funds to total assets during 2017 amounted to 2.89%.

The amount of placement of funds according to the paper Octavina and Darma (2012)[23]; Dahlan and Ardiyanto (2015)[24]; Kawiryawan and Hapsari (2015)[25] are influenced by the revenue share received by Islamic banks. According to Amalia (2014)[26] in the long run, Islamic banking financing affects SBIS deposited with Bank Indonesia. Conversely, in the short term, SBIS affects Islamic Bank financing.

State Sharia Bank Certificates (SBSN) is one of the alternative placement of funds for Islamic banks to gain profit. SBSN can be issued either by non-bank third party or other bank. Placement of funds by Islamic banking into the State Sukuk

during 2017 tends to grow from month to month. Based on Sharia Banking Statistics, the amount of Islamic banking funds placed in the form of State Sukuk in January position amounted to Rp. 25.831 or 7.16% billion of total assets and continued to increase, except in March and December. After growing to Rp. 40,481 billion in November, in December position, the amount of funds decreased slightly to Rp. 40.310 billion or 9.70% of total assets. Overall, the average placement of funds in the form of State Sukuk is Rp. 33,030.67 billion or 8.37 percent of total assets. When compared to the placement of funds in the form of SBIS and FASBIS, the placement of funds in the State Sukuk is much greater. This, according to Amin (2016) due to the level of marketability attached to SBSN products, and the complete rules of both the DSN fatwa and the Act.[27]

Interbank Money Market Sharia (PUAS) is an instrument of cooperation between Islamic banks to manage liquidity. Islamic banking can take advantage of PUAS both when excess funds and lack of funds. Placement of funds into PUAS can be done either without or through the issuance of securities.

By 2017, the use of these instruments by Islamic banks can be relatively small. Based on Sharia Banking Statistics the amount of funds placed into PUAS by issuing securities only ranges from Rp. 1.298 billion up to Rp. 4,386 billion. The smallest fund placement occurred in August and the largest fund placement occurred in December. When compared to total assets, the placement of funds into PUAS ranges from 0.33% to 1.01%. During 2017, the average fund placed in PUAS is Rp. 2,471.58 billion or 0.63% of total assets.

In 2017, funds obtained through PUAS with the issuance of securities ranged from Rp. 1,192 billion up to Rp. 5,484 billion. The smallest funds acquired in February, while the largest funding came in December. Compared to the total liabilities, the amount of funds obtained ranges from 0.41% to 1.29% or an average of 0.8%

The small utilization of PUAS by Islamic banks is likely due to the high cost of funds that Islamic banks must issue. The lack of utilization of PUAS as the source of this fund makes the effect of issuance of securities against financing is relatively small. The small number of sharia banks utilize the interbank money market is possible because it contains a large cost, because the profits must be divided into institutions. It is like the paper Agustinar (2014)[28] that PUAS Securities have a negative and significant influence on the financing channeled by Islamic banking.

Sharia Short-Term Financing Facility (FPJPS) for Islamic Banks.

FPJPS which is the last of the resort (final alternative) in solving liquidity difficulties. FPJPS is a good ethic of Bank Indonesia to assist Islamic banking in overcoming liquidity difficulties. Based on statistics of sharia banking, liabilities to Bank Indonesia occurred in early 2017 between January to May with the amount of funds amounting to Rp. 0.72344 billion. After that month there is no longer any liability. This is as in the paper Purnamasari (2015)[23] FPJPS is used to improve the liquidity of Islamic banks in the short term. FPJPS merely assist the need for liquidity. The minimum usage of FPJPS is because the portion of profits for Bank Indonesia that is required is very large that is 90%. As long as there is still a chance, shariah banks generally prefer cheaper, easier sources such as entering PUAS or using other instruments.

Although liquidity deposits are a top priority in liquidity management, the portfolio of liquidity must be kept in mind. This is because the survival of islamic banking business is determined from the profitability obtained from the financing. The more disbursement financing, the more opportunities to gain profitability. Timely disbursement prevents customers from moving to other institutions, whether banks or non-banks

Khan, Asif, Ali, and Khan (2015)[29], in a study of liquidity in Malaysia and Pakistan, that Islamic Banks in Malaysia place greater emphasis on liquidity and profitability while Islamic Banks in Pakistan pay close attention to the high management of Loan to Deposit Ratio. This makes it important to see further how profitability can be achieved, and vice versa when Islamic banks pay more attention to high Loan, liquidity will be questioned. Jayanti, Delasmi and Widy (2016)[30], studies, that liquidity management has a positive and significant impact on the performance of the Sharia Rural Bank. If liquidity is well managed, it will have an impact on the performance of a financial institution. Sharia banking in asset management has discretion, including asset management into securities. Mobin and Ahmad (2014)[31]; in his study on liquidity risk management at Bank Islam Malaysia stated that the bank's specialization factor has an impact on liquidity management. Therefore, in order to manage liquidity, specialization factors need to be strengthened.

Liquidity management is balanced with the Bank's management of profitability. Wasiuzzaman, Ayu (2010)[32] in his study that liquidity and operational cost efficiency are positively related to profitability, while capital and asset quality are negatively related. Macroeconomic variables such as inflation and Gross domestic product provide a positive relationship to profitability.

In the management of liquidity, besides being required to have liquid tools that enable banks to fulfill short-term obligations, banks are also required to manage profitability through financing. Both become indispensable needs. Islamic banks are required to maintain their funds in the form of Statutory Reserves at Bank Indonesia. This is an obligation of Islamic banks to conduct clearing at Bank Indonesia. Clearing becomes a necessity for the Islamic Bank. This is due to the fact that the public is more interested in non-cash transactions such as transfers either through interbank mail or through ATM, SMS Banking or internet banking.

IV. CONCLUSION

The results show that liquidity Management of Islamic Banking in maximizing asset portfolio and efficiency are:

The first, Liquidity managed by Islamic Bank by maintaining High Quality Liquid Asset (HQLA) with instruments are Cash, marketable securities such as SBIS, FASBIS, SBSN, PUAS (surplus funds) and PUAS, FPJPS (deficit of funds)

The second, Liquidity management must be balanced with asset management so that it will have a positive impact on the achievement of operating income and efficiency

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Al-Farabi Perspective Religion and Practical Ratio (In the study "Frank E. Reynolds and David Tracy Religion and Practical Reason"; By Paul E.Walker)

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Abstract -The figure of the second leading philosopher after Aristotle among Muslim philosophers, namely Abu Nasr al-Farabi who was born around the 10th century (w. 950 AD) who wanted to try to integrate the thoughts of two early Greek philosophers Plato and Aristotle about theoretical ratios (Platonic) and practical ratios (Aristotle). Known as al-Farabi is the most prominent founder of religious philosophy, because his achievements in mastering the fields of philosophy exceeded previous figures in the Arab world. Besides mastering several fields of philosophy with ease, he also mastered and appreciated religion. His students included Ibn Rusydi, Ibn Tufayl, Ibn Sina, and Maimondes. Al-Farabi agrees with the division of Aristotle's ratios on theoretical ratios and practical ratios. However, in this case al-Farabi adds the term 'practical ratio application' and divides the theoretical ratio into two, namely 'demonstrative science' and 'discursive science'. Al-Farabi not only faced massive cultural pressures that were not merely Islamic, but also a series of religions and Prophets who had been responsible for their respective times. Therefore, in understanding his political philosophy al-Farabi included the important role of the Prophets, both the Prophet of his time [Muhammad SAW] or previous prophets

Keywords: Religion, Practical ratio, Al-Farabi

I. INTRODUCTION

The conflict between philosophy and religion did not arise during the early days of Islam, [1] because at that time philosophy was unknown in the Arab region, where the Prophet Muhammad began his mission to spread Islam. New philosophy developed rapidly throughout the Islamic region, though not at the same level, at the beginning of the 4th or 5th century Hijriyah. However, because there is one of the main philosophers to deny the privilege of the Prophets and the Teachings of Religion, so many scholars who oppose and reject it. Therefore, only a few scholars who fully accept or master philosophy.

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As we know that philosophy is something different from understanding religion. Philosophy studies something scientifically or scientifically, while religion is a belief from the heart that is sometimes difficult to prove really real whether religion is something that is valid or not. [2] If examined, there are some similarities (unity) that are owned by various scientific disciplines.

For example, theology and philosophy. Are not philosophical studies, themselves, things that are the object of religious studies? Namely about the source of human existence and its purpose, about finding a path to happiness, and so on. Although there are similarities between the object of study of religion and philosophy, but the resulting ideology is not always the same, the following solutions are introduced by each of the problems of the study. The existence of similarities and differences in these various sides, makes it difficult to conclude a general law that can unite the two as a scientific discipline and at the same time it is also not possible to separate the two completely.

As a precaution, the Ulama separated philosophy from religion by giving a 'label' to him as a 'foreign or non-Islamic science' contrasted with 'Islamic science'. Generally, what is categorized as non-Islamic science is physics, mathematics, metaphysics, and logic, all of which only emerge when the Arabs had contact with Greece and other regions outside Arabia.

While Islamic science is language, grammatical, and various official doctrines and techniques for studying and interpreting religious traditions. Both of these labels are placed in an 'antagonistic' position and have further implications for the attitude between the two, namely, 'pro-Islamic' scholars continue to throw rejection and vilification against philosophy while 'Pro-[non-Islamic]' philosophy 'has little or no use the basis of shari'ah and religious scriptures at all. Nevertheless, gradually the philosophical way of thinking was accepted by Muslim thinkers. This is because supporters of philosophy - from their philosophical experience - gradually recognize the important role of religion in society. This acceptance process then has implications for the entry of religion into philosophical studies. One result of this process in the Islamic realm emerged was 'religious philosophy'.

As stated above that the most prominent founder of this 'philosophy of religion' in the 10th century CE was Abu Nasr al-Farabi (d. 950 AD). His achievements in mastering the fields of philosophy exceeded previous figures in the Arab world. Besides mastering several fields of philosophy with ease, he also mastered and appreciated religion. His students included Ibn Rusyd, Ibn Tufayl, Ibn Sina, and Maimondes. According to his students, al-

Farabi was a prominent figure since the post-Aristotle.

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As a philosopher named al-Farabi [3] defines philosophy that philosophy is a scientific discipline that tries to understand the nature of something with something, not with anything else, and in the end they will determine something according to strong proofs that can be accepted, not just submission. While the methods of understanding that exist in religion are submission and imitation.

Like most heirs of the philosophical tradition of Aristotle, al-Farabi in scholarship is based on the difference between theoretical and practical ratios. Theoretical Ratios are ratios that produce theoretical sciences, that is, knowledge aimed at knowledge alone. While practical ratios are ratios that produce practical sciences too, that is science aimed at an action (praxis) or science [ratio] which gives an effect on an action. This distinction is different from the Arabic scientific distinction, namely between 'foreign' and 'local' or 'Islamic' and 'non-Islamic'.

However, that does not mean al-Farabi without criticizing the Aristotelian-style distinction. In addition to these two distinctions, al-Farabi distinguishes between theoretical ratios as 'demonstrative science' and science or methods of thinking that produce 'opinions and beliefs' solely. These last two things according to al-Farabi are purely 'practical', not 'theoretical'. Thus, religious views about God and all elements of the faith are nothing but part of the practical ratio, insofar as they all lead to goals that require 'activity'. However, according to Walker all of these examples are 'practical applications' of 'theoretical ratios', not the practical ratios themselves.

Al-Farabi's ideas about what constitutes practical and theoretical ratios are very important, and incidentally they are widespread in his works, so it is a little easy to understand them. But other ideas require further explanation and must be approached with a rather elliptic. In addition, because modern scholarship has not studied al-Farabi in full and also because al-Farabi's Arabic works were first published three decades ago, critical study of sources - even important - will only wrestle with mountains of data that produce a little conclusion.

Therefore, instead of focusing on al-Farabi's verbatim examination, according to Walker, it would be better to understand simply and directly on the main themes that contribute to al-Farabi's religious philosophy. With this, we will explore and get new conclusions and not a few.

Based on the rationale and considerations above, then Walker divides this study into several sub-themes, namely: (1) meeting Muhammad and

Aristotle; (2) Philosophy of practical ratios; (3) History of religion; and (4) Place of practical ratio. For more details, as described below;

A. Practical Ratio Philosophy

According to al-Farabi the basic difference between theoretical and practical ratios is that the formers are concerned with the knowledge of things or creatures that we cannot make or change, while the latter is a source of knowledge about objects and events whose existence depends on human desires. For example, theoretical ratios investigate abstract mathematical principles without qualifications; practical ratio applies these rules to actions, made or manipulated by art and human desires.

Knowledge of what is theoretical, in this sense, can be accumulated solely from extensive experience and interpretation of what is practically thought out. So reasoning which itself is not rooted in theoretical can lead to theoretical understanding, because there is a relationship between two forms of reasoning, although it does not need to depend on the temporal priority of practical experience which in fact can spawn false conclusions.

In-depth considerations produce generalizations both through the ability of ratios and the operation of imagination. A decision that results from observing something particular to the conclusion that is universal. This universality is only able to be understood rhetorically or poetically, and thus merely represents an imaginary parable of the actual object or principle that can be understood. In correct theoretical reasoning, the principles of instruction and communication are the same as the principles of beings. Instead of the correct mode of practical thought, the principles of beings need to be separated from the methods or principles of instruction and communication.

According to al-Farabi, theoretical knowledge is primary knowledge and has a demonstrative reasoning capacity. Then the application of theoretical knowledge is un-demonstrative and is a secondary form of reasoning. To understand this Walker gives an example; that statements about heavens and physical laws will not change according to human expectations, but rather how humans understand what those statements or laws do.

Philosophy according to al-Farabi's understanding is merely a theoretical perfection and demonstrative certainty. The demonstrative art and science according to him is very prestigious and superior. Then philosophy seems to eliminate the practical ratio. If so, then how can he connect it with the particular variable of all things facultative? For al-Farabi, to arrive at philosophical theoretical goals, one discovers that the usefulness of theoretical knowledge and therefore theoretical

power provides impetus and ways to achieve ultimate happiness.

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When someone seeks perfection and ultimate certainty, there are two desirable results; first, it fails to reach certainty over all problems and therefore confusion between definite parts and may only stop at the level of opinion and belief; secondly, the need [implied by perfection itself] for realization, that is, bringing it into action. According to al-Farabi, to reach the level of full perfection, one must utilize other natural creatures.

So, to achieve whether perfection is possible for each individual, one must associate with the other. From this al-Farabi concluded, "now there arises knowledge and other investigations which examine the principles of intellectualism and the actions and circumstances of character by which one works towards perfection". This is philosophy or religious knowledge.

For al-Farabi, the ability to obtain theoretically acceptable, both from the demonstration process [philosophy] or imitation [religion], is a revelation. But this is exclusive or not everyone is able to access it, because it is purely intellectual. People can only access the 'imitation' category.

Imitation, according to al-Farabi, is always bound by place and time, thus giving birth to different forms according to time and place. Thus, each State, region and culture has its own form of religion following a lawgiver instructor [someone who has the ability to make specific examples of abstract theories according to his place or country] which is nothing but a philosopher-prophet.

According to al-Farabi's belief, religion is more than an imitation of philosophy alone; it is the perfection of a practical, intentional virtue, and the conditions of action. With this, religious philosophy becomes a science of rhetorical and poetic methods, the power to convince, instill virtue, and instill ways of achieving happiness possible for each of the peoples of each State. This indicates that the lawgiver is the person who masters the two theoretical methods. In a sense, they master the knowledge that is built by the demonstrative method and at the same time how it might be practically implemented.

To evaluate or measure the truth of the reasoning, al-Farabi uses the objective measure of 'happiness'. If the result of reasoning is in accordance with this final goal, then it is correct, but if on the contrary it is also wrong.

B. Place of Practical Ratio

This sub-chapter actually contains some of Paul E. Walker's opinions on al-Farabi's thoughts. There are times when Walker's opinion strengthens al-Farabi's

opinion and sometimes criticizes him. According to Walker, many philosophers - both Western and Muslim such as Ibn Sina, Ibn Rushd and al-Ghazali - who misunderstood al-Farabi's thought. With this, many people leave the study on it, even this also happens in Muslims themselves.

According to Walker, this happened because philosophers expected a philosophy that produced a certainty at the end of his investigation, and this was not found in al-Farabi. Because, in the investigation that al-Farabi did, his final step remained open rather than closed, ambiguous, and tentative rather than final and remained in addition, in his investigation there was also no closing argument, no precise conclusion, no definitive solution, and what's most important, there is no confirmation of absolute certainty. The problem of religious lawgiver is an important example of one of al-Farabi's unfinished conclusions and an example of an ambiguous result - never finished - which always confuses and urges us to bring up new interpretations.

Then, related to al-Farabi's opinion about lawgiver and philosopher Walker, he argued that this is something that is ideal and impossible to be realized. Because, according to him, the perfect combination of theoretical and practical ratios in one person is something that really will not exist, maybe only God alone is capable. The Prophet Muhammad, as used as an example of al-Farabi, according to Walker, did not meet the requirements set by al-Farabi, because there were no facts that confirmed that Muhammad was a proper philosopher other than being a prophet. On the other hand, if Aristotle was a perfect philosophy by reaching an understanding of demonstration, as al-Farabi explained clearly, another question arises: is there, or has it ever been, explicitly a religion based on its results? Apparently not in reality. Therefore, according to him, giving appropriate honor is more important. In a sense, giving honor separately and in the right portion to both Aristotle and Muhammad. Perfect theoretical ratios and practical ratios are not the same, and therefore their personification of two different individuals or two agents (or maybe two personalities from one agent) is eternal, both in philosophy and religion.

The difference between Aristotle and Muhammad according to Walker is that if someone studies the books of Aristotle he will become *Arsitoteles*, but if someone reads the Qur'an he will not be a replica of Muhammad.

What al-Farabi meant by all these speculations about lawgivers and philosophers-prophets, Walker believed that it was intended to force people who understood this dilemma to return to its roots, back to the uncertain relationship between theory and practice, between universal and special, between logic and grammar. One key is his opinion that

basically discourse is practical. It is an aspect of action and not per se equivalent to thought. One must not speak of discourse and abstract thought as if they were exactly the same. Therefore, because discourse is a good means of what he will see as a practical ratio - although it does not mean the ratio itself - theoretical ratios really do not have the means because he is like that or if he has the means then he becomes practical.

But, on the other hand, what exactly is this practical ratio? Is caution, consideration of special things, the basis of will or choice, or discursive as opposed to deductive thinking? According to Walker This is still a real problem for al-Farabi. Al-Farabi has recognized the difference between theoretical and practical knowledge, and has then identified something he understood as practical reasoning, which is the mental component of the latter. Finally, he stressed a relationship between theoretical and practical ratios in order to establish the last philosophical interest, although there are still some mysteries about what that relationship really is. However, because he respects the prophet, as the creator of religion, to stand as an expert in practical reasoning, he also acknowledges the sublime, although it may not be fully understood, the position of the practical ratio applies when he functions perfectly.

So al-Farabi emphasizes the difference between discourse and correct theory. Of course the practical application of any theory is not limited to discourse, but discourse is the main field where what began as a theory turns into practice. Because all practices require action, they are always special. Moreover, comparisons must be discourse comparisons, not theories, although it will focus on theory as the standard because without a standard comparison it is not possible.

Special things, as far as they are special, are unique and cannot be compared. Therefore, the practical ratio alone with itself will not allow the original comparison, because he is always isolated in practicality. It is only by their origin that what is theoretically general for some special things can really be compared.

Overview of Research P.E. Walker

In his study, Walker uses assessment methods that limit the main themes and use questions that are guided by specific main objectives. The latter is actually used by Walker to replace the source criticism study which in this study is not possible.

Walker made several criticisms of al-Farabi's thoughts, including: (a) the concept of lawgiver and philosopher is impossible. Therefore he prefers to separate between the two with the right position and portion. (b) According to him, al-farabi's study still contains many unsolved mysteries.

Closing

From all of the above, related thoughts can conclude that:

1. Al-Farabi agrees with the division of Aristotle's ratios on theoretical ratios and practical ratios. However, in this case al-Farabi adds the term 'practical ratio application' and divides the theoretical ratio into two, namely 'demonstrative science' and 'discursive science'.
2. Al-farabi states that all religions begin with philosophy. In the meaning of religion, its origin was in the form of an abstract concept, then because in order to be accessible to the general public, philosophers of the prophets or lawgiver were forced to use poetry and rhetorical methods.

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Strengthening Of The Function Of Consultation Extension Bureau And Tulungagung Iain Legal Assistance Through the Role Of Advocacy Of Indonesian Migrant Workers (PMI) In Tulungagung Regency

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Abstract

Indonesian Migrant Workers are a group of people who are vulnerable to legal problems both in the pre-work, during work and after work phases. So legal aid is one of the human rights and legal protections for Indonesian migrant workers. Using the Participatory and Sociolegal research methods, the Tulungagung IAIN Consultation and Legal Counseling Bureau examines various forms of legal assistance that can be provided to Indonesian Migrant Workers in Tulungagung Regency.

Keywords: Indonesian Migrant Workers, Legal Aid, BPKBH IAIN Tulungagung

A. Background

The increasing number of productive age population in Indonesia is in fact not offset by an increase in the number of jobs. Becoming an Indonesian Migrant Worker (PMI) is one of the ways to reduce unemployment, increase economic standards and meet their needs. Historically the phenomenon of the migration of Indonesian workers is a normal phenomenon, because the conceptual limits of the State in terms of politics and economy are still very elastic.¹ Migration activity is a positive impact of the economic growth of the destination country. Migration between countries is a manifestation of freedom to exercise economic choices as a result of the opening of the global economic system.²

The trend that can be observed is that Indonesian migrant workers are only able to compete in jobs in the 3D sector category, namely Difficult / Demeaning (high risk work), Dirty (dirty) and Dangerous (dangerous).³ So the unskilled people in Indonesia have not met the high qualification standards expected by the global job market.

¹ Muslan Abdurrahman, 2006, *Ketidakpatuhan TKI Sebuah Efek Diskriminasi Hukum*, UMM Press, Malang, hlm. 9.

² Ibid, hlm. 12-13.

³ Koesrianti, "Pelindungan Hukum Pekerja Migran Penata Laksana Rumah Tangga (PLRT) di Luar Negeri Oleh Negara Ditinjau dari Konsep Tanggung Jawab Negara", *Jurnal Yustisia*, vol. 4 No. 2 Mei-Agustus 2015, hlm. 245.

Indonesian people who decide to become PMI are faced with the risk of discrimination and violation of the law in the three employment processes (pre-employment, during employment, post-employment).⁴ Work risks such as rampant violations committed by the Indonesian Migrant Workers Placement Company (P3MI), human trafficking, sexual harassment, as well as inhumane and exploitative treatment.⁵ So if viewed from a social background or from the perspective of work risk, it can be concluded that the PMI is classified as an old society.⁶

East Java is the province with the highest number of PMI placements in Indonesia in 2019, from April 2019 to 20,786 workers out of a total national placement of 86,225 workers. The Kediri residency became the center of PMI contributors in East Java Province, because Blitar, Tulungagung, Kediri and Trenggalek Regencies were included in the top 25 Regencies / Cities with the highest level of PMI compliance on the National scale.⁷

As TMI pockets, several villages in Tulungagung Regency are nicknamed the Kampung Tenaga Kerja Indonesia. Tanggul Turus Village Besuki District, Pojok Village Ngantru District, Taten Village and Sumberagung Village Rejotangan District are 5 (five) villages known as Kampung TKI. Haning Romdiati⁸ in his research stated that some of the reasons Tulungagung District people chose to become PMI were factors of economic difficulties, the existence of large wages from recipient countries, the limited employment opportunities outside the agricultural sector, and the lack of employment opportunities for residents with low education levels. This is

⁴ Muslan Abdurrahman, op.cit, hlm. 30.

⁵ Lihat penjelasan atas Undang-Undang No. 39 Tahun 2004 tentang Penempatan dan Perlindungan Tenaga Kerja Indonesia di Luar Negeri.

⁶ Pekerja Migran Indonesia masuk dalam kategori masyarakat rentan dan pembenahan persoalan Pekerja Migran Indonesia yang tersangkut persoalan hukum menjadi prioritas kerja Komisi Nasional Hak Asasi Manusia (Komnas HAM). Lihat Komnas HAM, "Pemenuhan Hak Kelompok Minoritas dan Renta di Indonesia", *Laporan Tahunan Komnas HAM 2016*, hlm. 11

⁷ Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia, "Data Penempatan dan Perlindungan PMI", *Laporan Periode April 2019*, hlm. 5.

⁸ Haning Romdiati, "Migrasi Tenaga Kerja Indonesia dari Kabupaten Tulungagung: Kecenderungan dan Arah Migrasi serta Remitansi", *Jurnal Kependudukan Indonesia*, Vol. VII, No. 2, 2012, hlm. 30.

evidenced by 52% of the people who become PMI only have a Primary School Diploma (SD).⁹

The high interest of the people to work as PMI is directly proportional to the increasing legal problems experienced. The National Agency for the Placement and Protection of Indonesian Workers (BNP2TKI) which is currently converted to the Indonesian Migrant Workers Protection Agency (BP2MI) has released PMI complaints that are classified as legal issues starting from the process before work, at work and after work.¹⁰ Review the consideration of Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers, that work is a human right that must be upheld, respected and guaranteed upholding. The government as a duty bearer¹¹ is responsible for the respect, fulfillment and protection of the rights of its citizens, and must be protected from the efforts of the crime of human trafficking, slavery and forced labor, abuse, crimes against human dignity and dignity, and other treatments that violate human rights Humans (HAM).¹²

In fulfilling the rights of its citizens, the protection and organization of legal aid must be implemented as a reflection of the concept of the rule of law.¹³ The right to obtain legal assistance as part of human rights must be considered a constitutional right. The right to assistance is known as a universally accepted right guaranteed in Pasal 16 and Pasal 26 of the International Covenant in Civil and Political Right (ICCPR). Even though it was not explicitly regulated and stated in the UUDNRI 1945, however, the State is still obliged to fulfill it because access to justice in the context of fulfilling the right to a fair trial is one of the characteristics of the rule of law. That is, the State is obliged to safeguard all rights of the people relating to the law, including obtaining guarantees for legal assistance.

The State's obligation to the public in providing guarantees to obtain legal assistance is not without basis. Pasal 27 Ayat (1) UUDNRI

1945 that all citizens shall have the same position in law and government and uphold that law and government without exception. This means that every citizen has the right to be defended (access to legal counsel), the right to be treated equally before the law (equality before of the law) and the right to get justice (access to justice)¹⁴

Based on this background, the Legal Consultation and Legal Counseling Bureau (BPKBH) of IAIN Tulungagung wants to take a role in providing advocacy to CPMI and / or PMI in Tulungagung Regency who experience legal problems in every work placement process. So it is necessary to conduct research and mapping the role of BPKBH IAIN Tulungagung in order to provide legal assistance both non-litigation and litigation to justiciable. The purpose of this research is to know: 1). The role of BPKBH IAIN Tulungagung in advocating for Prospective Indonesian Migrant Workers and / or Indonesian Migrant Workers in Tulungagung Regency. 2). institutional strengthening steps BPKBH IAIN Tulungagung in supporting the provision of advocacy for Prospective Indonesian Migrant Workers and / or Indonesian Migrant Workers in Tulungagung Regency?

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B. Research Methods

This research is a research center of the field of law which is carried out through the Interdisciplinary approach, which includes **Participatory** and **Sociolegal** research methods. Secondary data obtained through library data collection techniques. While the primary data obtained by observation, interviews and documentation. Observations were made at the Tulungagung Regency Manpower and Transmigration Office, Social Service Office, Family Planning, Women's Empowerment and Child Protection of Tulungagung Regency, Indonesian Migrant Placement Company (PMI) Office of PT. Prima Duta Sejati and the Migung Center Office of Tulungagung Regency. Interviews were conducted with 36 (thirty six) respondents who were PMI families, former PMI, P3MI, LTSA PMI, Tulungagung Manpower and Transmigration Office, Dr. Tutik Sulistyowati, M.Sc, Sociologist / Sociologist from Muhammadiyah University of Malang., Mr. Hari Widiyanto Director of the Indonesian Migrant Workers' Center (PMI) from Tulungagung Regency and Ibu Dra. Nurul Hidayah, M. Kes (Head of Women Empowerment and Child Protection) PKBP3A Social Service. Data analysis was carried out through a process of reviewing the results obtained in the field, namely the results of

⁹ Ibid, hlm. 31.

¹⁰ Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia, "Data Penempatan dan Perlindungan PMI", *Laporan Periode April 2019*, hlm. 39.

¹¹ Lihat JJ.H. Bruggink alih bahasa B. Arief Sidharta, 1996, *Rechtsreflecties*, Citra Aditya Bakti, Bandung, hlm. 179-180, dalam Asri Wijayanti, *Ibid*.

¹² Lihat konsideran Undang-Undang No. 18 Tahun 2017 tentang Perlindungan Tenaga Migran Indonesia.

¹³ Atik Krustiyati, "Optimalisasi Perlindungan dan Bantuan Hukum Pekerja Migran Melalui Promosi Konvensi Pekerja Migran Tahun 2000", *Jurnal Dinamika Hukum*, Vol. 13 No. 1 Januari 2013, hlm. 137.

¹⁴ Frans Hendra Winata, 2009, *Pro Bono Publico*, Jakarta: Gramedia Pustaka Indonesia, hlm. 15.

interviews, observations, and documents that have been collected. The process of analyzing data uses descriptive qualitative methods accompanied by interpretive analysis.

C. Research Results and Discussion

1. The Role of BPKBH IAIN Tulungagung in Advocating for Prospective Indonesian Migrant Workers and / or Indonesian Migrant Workers in Tulungagung Regency

a. Sociological Review of the Placement of Indonesian Migrant Workers in Tulungagung District

Population Data of Tulungagung Regency in 2018 shows that the population of Tulungagung Regency is dominated by population of productive age.¹⁵ The productive age population in the employment sector is classified as a workforce population group of 537,081 people, while the non-workforce group is 262,764 people.¹⁶ Between 2017 and April 2019, 2,113 people in the workforce group were placed as PMI in various countries.

Judging from the education level of PMI, 29.7% of them are elementary school graduates, 38% are junior high school graduates and 30.9% are senior high school graduates. The level of education of the PMI does not meet the standards of migrant workers with the level of ability needed by the development of the global economy. These conditions indicate the competitiveness of Indonesian workers who tend to be low, so labor competition in practice occurs both on the global labor market at the national level but also abroad. From these data it can be concluded that the low level of education is proportional to the low quality of human resources and the level of work competence.

The orientation of the migration of the PMI is determined on the various potential destination countries such as the orientation of economic potential, market potential, production potential and the availability of resources.¹⁷ Economic potential is the main orientation, where PMI migration activities tend to take place in areas of the country that have good economic growth rates, generally indicated by the development of the industrial sector. So that the development of a country's

economic sector, the volume of labor migration will be higher.¹⁸

According to Nayyar¹⁹, in the era of 1969-1979 workers from Indonesia tended to migrate to the European region, especially the Netherlands, this was inseparable from the impact of post-colonialism relations. In the 1980s there was a shift where labor migration led to the eastern half of the country. Labor migration shifted back to the era of the 1990s where the South Asian region was the main destination for workers. At present there is no significant shift in the orientation of the destination country of labor. Asian countries²⁰ occupy the most 6 (six) PMI placement countries, namely Malaysia, Taiwan, Hong Kong, Singapore, South Korea and Brunei Darussalam. The Middle East region is still dominated by Saudi Arabia and Kuwait.²¹

From the research conducted by the audience with the Tulungagung District Manpower Office, P3MI in Tulungagung District, as well as 20 (twenty) PMI families in Tulungagung District, there are various reasons that become the background of migrating Indonesian workers abroad. Researchers categorize various factors that lie behind, among others:

a)

actors in the process of economic development, there is an imbalance of economic development between the country of origin and the destination country. PMI tends to choose countries with a more developed and stable economic development orientation when compared to Indonesia. Unequal economic development processes offer higher wages and employment opportunities. While the public is faced with the lack of employment opportunities in their own country that do not accept limitations on work competence and the educational status of the community

¹⁵ Data Statistik Daerah Kabupaten Tulungagung Tahun 2018

¹⁶ *Ibid*, hlm. 6

¹⁷ Muslan Abdurrahman, *Op.Cit.*, hlm. 11.

¹⁸ *Ibid*, hlm. 12.

¹⁹ *Ibid*, hlm. 22-23.

²⁰ Data Penempatan dan Perlindungan PMI Periode April 2019, BNP2TKI, hlm. 13.

²¹ Singgih Susilo, Beberapa Faktor yang Menentukan TKI dalam Memilih Negara Tujuan sebagai Tempat Bekerja: Studi di Desa Aryojedong Kabupaten Tulungagung, *Jurnal Pendidikan Geografi*, No. 2, Juni 2016, hlm. 40-43.

b) social community factors, the reasons for people to migrate into labor in other countries are also motivated by social factors. PMI's family not a few who choose sawah or fields. But nowadays the work as farmers and cultivators who are in fact informal work is less attractive to the community. In addition, the PMI migrating first showed an increase in income and standard of living. So that makes migration a new trend of hope for people to be able to improve their economy. The stigma that develops in the community is that by increasing the economy after becoming PMI, it will be able to be respected by others and improve lifestyle. The strong social influence of the community can be seen from the rise of areas known as pockets of Indonesian labor, particularly Tulungagung Regency.

c) actors of globalization, today countries are faced with opportunities for globalization that foster cooperation or agreements on migration between countries such as the example of the ASEAN Economic Community. The globalization factor is also captured by the community with the emergence of awareness of employment opportunities, building socio-cultural and economic relations in the destination country.^{22,23}

d) lifestyle factors which view that workers who get high salaries from abroad will get high status and respect from the community.²⁴ The problem of labor migration in general, even in Tulungagung District is the rampant illegal recruitment of labor. Illegal PMI family members' illegal recruitment by "Tekong" is carried out by giving

information to the families of PMI Illegal, about their identity, type of work and place of residence, as well as salary and work facilities obtained, so that they are interested.

Appointment of prospective PMI, using a family visit visa abroad and if the permit nears end, a work permit will be requested by the family. PMI who have already been there are some examples of this information given by Mr Damanhuri, Zaenudin and Imam Muchtar who work in Malaysia, Mr Ismail work in Brunei and Mrs. Sriani who work in Saudi Arabia.

BP2TKI and the Manpower Office have not been able to collect concrete data on the number of workers illegally placed by unlicensed companies. The practice was carried out by the Tulungagung community, because placements made by companies without licenses tended to be able to make faster placements with straightforward documents. Although it is known that placement by an unlicensed company is three times more than the placement by a legal Indonesian Migrant Worker Placement Company (P3MI).

P3MI is a limited liability company that has obtained written permission from the Minister to provide placement services for Indonesian Migrant Workers.²⁵ BP2MI released a list of P3MI who were legally registered as PMI placement service providers. There are 3 (three) P3MI registered in Tulungagung Regency including PT Djamin Harapan Abadi, PT Mutiara Bahari Alamria and PT Sofia Internasional Perkasa.

In addition to the three listed P3MIs, researchers also found a number of P3MI branches based in other Cities / Regencies. P3MI branching out in Tulungagung Regency such as PT Prima Duta Sejati based in Surabaya and PT Mulia Laksana Sejahtera based in Sidoarjo City. With the obligation for CPMI to have work skills or competencies prior to placement, making P3MI not only acts as a manufacturing company, but can also carry out work education and training processes to work competency certification.

Efforts to reduce the number of illegal PMI placements have now been established with the One-Stop Integrated Service for the Protection of Indonesian Migrant Workers (LTSA PMI) as mandated by Pasal 38 Undang-Undang No. 18 Tahun 2017 about Perlindungan Pekerja

²² Lihat Martin Wolf, GLOBALISASI Jalan Menuju Kesejahteraan, Yayasan Obor Indonesia: Jakarta, 2007, hlm.15.

²³ Lihat Ana Shabana Azmy, *Negara dan Buruh Migran Perempuan*, Yayasan Pustaka Obor Indonesia: Jakarta, 2012, hlm.39.

²⁴ Hasil wawancara dari Ibu Dra. Triningsih Ch. Rahayu, M.Si. Kabid Penempatan Perluasan Kesempatan Kerja dan Transmigrasi Kabupaten Tulungagung Tanggal 11 September 2019

²⁵ Pasal 1 angka 9 UU No. 18 Tahun 2017 tentang Perlindungan Pekerja Migran

Migran Indonesia jo. Peraturan Menteri Ketenagakerjaan No. 30 Tahun 2016 about Pedoman Pembentukan dan penyelenggaraan Layanan Satu Atap Penempatan Tenaga Kerja Luar Negeri (Guidelines for the Establishment and Operation of One-Stop Service for Overseas Workers Placement).

The government encourages 56 districts / cities which are pockets of PMI in Indonesia to form LTSA PMI to be able to provide services to CPMI in an integrated manner. The Tulungagung District Government followed up on the directive by issuing Peraturan Bupati Tulungagung No. 44 Tahun 2017 about Pembentukan Layanan Terpadu Satu atap Penempatan dan Perlindungan Tenaga Kerja Indonesia (Establishment of a One-stop Integrated Service for the Protection and Protection of Indonesian Workers)

In principle LTSA PMI is a form of public service provided by local governments. LTSA PMI provides CPMI with labor market information, where the labor market has been recognized by the government. Besides that LTSA PMI also provides administrative services that are easy, inexpensive, safe, quality and without discrimination, such as handling documents for population, verification of training certificates and work competencies, signing agreements and work placements, recommending and making passports, supplies, and so forth. The aim is to protect the placement of migrant workers. LTSA PMI provides 2 (two) service schemes namely Mandiri CPMI Scheme and CPMI Scheme through P3MI.

Table 1
Placement of PMI Tulungagung Regency in 2019

	January	February	March	April
Amount Penempatan PMI	634	392	547	540
Amount Penempatan PMI based on LTSA	261	189	210	215

Data processed by the author

The data shows that there has been legal awareness either by CPMI independently or P3MI to perform various document placement and validation services through LTSA PMI. However, non-binding regulations cause many PMI Tulungagung placements to be placed without going through the PMSA LTSA Services.

b. Identification of Potential Legal Problems in the Placement Process of Indonesian Migrant Workers in Tulungagung District

In identifying, the author provides a limitation that legal issues are interpreted as not carrying out the process of protecting Indonesian migrant workers. Legal issues that occur in the process of placing PMI result in not fulfilling guaranteed fulfillment of PMI rights both before work, during work and after work, which covers legal, economic and social aspects.

Potential legal issues that can be identified before work / before placement include: a) Illegal Recruitment; b) Labor market fraud / job opportunities; c) Not possessing or falsifying social security documents, population and immigration documents; d) Placement fees exceed the cost structure and legislation; e) PMI and / or Family are not provided with copies of documents and work agreements; and f) Work agreement documents are not in accordance with statutory regulations.

Potential legal issues that can be identified during work / during placement include: a) Termination of employment before the employment agreement ends; b) The work is not in accordance with the work agreement; c) Violence; d) Detention of documents by P3MI; e) Payroll is not in accordance with work agreements / wage standards; and f) Limitation of communication access. While potential legal issues that can be identified after work / after placement include: a) Overstay and b) Salary has not been paid until return.

From the various potential problems that have been outlined, the researchers concluded there were 2 (two) factors that triggered the potential problems. First, there is limited public information on the laws and regulations, registration procedures and the placement of PMI. Ignorance of the law will result in

Application of the law, besides the public will be easily deceived by elements to take advantage.²⁶

The socialization program that has been carried out by the government is not yet massive to provide a comprehensive understanding to the people who want to become CPMI. With this limited information, the public is vulnerable to be recruited illegally by unlicensed PJTKI.

Second, the low legal awareness of the public regarding PMI registration and placement procedures which results in

²⁶ Suyogi Imam Fauzie dan Inge Puspita Ningtyas, "Optimalisasi Bantuan Hukum Demi terwujudnya *Access to Law and Justice* Bagi Rakyat Miskin", Jurnal Konstitusi, Volume 15, No. 1, Maret 2018, hlm. 61.

legal non-compliance. Legal awareness is the self-awareness of the community without any pressure, coercion, or orders from outside to comply with applicable law.²⁷ As Soerjono Soekanto's view,²⁸ that legal awareness is the awareness or values contained in human beings about existing law or the expected law exists. The level of legal awareness in the community both directly and indirectly will affect legal compliance. The higher the legal awareness in the community, the stronger the level of legal compliance, and vice versa.

c. The Role of Advocacy by BPKBH IAIN

Advocacy is an act of defense. Advocacy is a word from to advocate which means to defend, also means to promote or to promote, and is an effort to make (to create).²⁹ According to the Indonesian Legal Aid Foundation (YLBHI), there is an important element in advocacy, namely making changes.³⁰

It seems that the advocacy paradigm does not stop at the trial process in the judiciary, but essentially as an effort to realize social justice for victims.³¹ In general, advocacy is defined as a medium that is used in order to achieve specific goals systematically and in an organized manner to influence and push for changes in public policy gradually and progressively.³² Advocacy activities for the community are carried out through legal assistance both in the court (litigation) and non-court channels³³ (non-litigation).

In the conception of the welfare state (welfarestate), Soerjono Soekanto³⁴

mentioned that legal aid is included in social policy. The logical ratio of social policy is that the existence of legal assistance can guarantee the groups of people who can not afford to not be too dependent on the able. So in this case it is the duty of the state to support the legal aid process both structurally, organizationally and financially.³⁵ according to Frans Hendra Winarta³⁶ legal aid is a legal service specifically provided to the poor who require free defense, both outside and inside the court, criminal, civil and state administration, from someone who understands the ins and outs of legal defense, the principle -asas and legal principles, and human rights.

Undang-Undang No. 16 Tahun 2011 tentang Bantuan Hukum jo. Peraturan Daerah Kabupaten Tulungagung No. 25 tahun 2012 Jo. Peraturan Daerah Kabupaten Tulungagung No. 15 Tahun 2015 tentang Bantuan Hukum untuk Masyarakat Miskin (concerning Legal Aid for the Poor) gives legitimacy that the legal aid recipient is a person or group of poor people. The poor are categorized as people who cannot fulfill basic rights properly and independently. Legal aid recipients include those who are dealing with the law, whether as suspects, defendants, defendants, witnesses, victims, reported parties or reporters.

Legal aid recipients are entitled to:

- Obtain legal assistance until the legal problem is resolved and / or the case has permanent legal force, as long as the legal aid recipient in question does not revoke the power of attorney;
- Obtain legal assistance in accordance with legal rock service minimum standards and / or advocate code of ethics; and
- Obtain information and documents related to the implementation of providing legal assistance in accordance with statutory provisions.

By examining the potential legal problems that have been outlined in the previous discussion, BPKBH IAIN Tulungung wants to take the role of providing legal aid in litigation and non-litigation referring to several approaches to the form of legal aid:³⁷

1) Preventive Legal Aid

³⁵ Soerjono Soekanto, 1982, *Sosiologi Hukum dalam Masyarakat*, Rajawali, Jakarta, hlm. 120.

³⁶ Frans Hendra Winarta, 2000, *Bantuan Hukum Suatu Hak Asasi Manusia Bukan Belas Kasihan*, Elex Media Komputindo, Jakarta, hlm. 23.

³⁷ *Ibid*, hlm. 132.

²⁷ Ellya Rosana, "Kepatuhan Hukum Sebagai Wujud Kesadaran Hukum Masyarakat", *Jurnal TAPIS*, Vol. 10, No. 1 Januari-Juni 2014, hlm. 3

²⁸ Soerjono Soekanto, 1982, *Kesadaran dan Kepatuhan Hukum*, Rajawali, Jakarta, hlm. 182.

²⁹ *The Heritage Dictionary of Current English*, Oxford, 1958 dalam. Rachmad Safa'at, 2011, *Advokasi dan Alternatif Penyelesaian Sengketa*, Surya Pena Gemilang, Malang, hlm. 55.

³⁰ Yayasan Lembaga Bantuan Hukum Indonesia, 2014, *Panduan Bantuan hukum di Indonesia*, Yayasan Obor Indonesia, Jakarta, hlm. 566.

³¹ Rachmad Safa'at, 2011, *Advokasi dan Alternatif Penyelesaian Sengketa*, Surya Pena Gemilang, Malang, hlm. 55

³² *Ibid*.

³³ Lihat H. Priyatna Abdurasyid, 2002, *Arbitrasi & Alternatif Penyelesaian Sengketa*, PT. Fikahati Aneska & BANI, hlm. 15.

³⁴ Soerjono Soekanto, *Bantuan Hukum Suatu Jaminan Tinjauan Sosio Yuridis* (Jakarta: Ghalia IndoneSia, 1983), hlm. 48.

Legal assistance is intended to provide community understanding of the law, rights and obligations of the community in the context of labor law, especially the placement and protection policies of migrant workers. As the law adage says that everyone is considered to know the law (*presumptio iures de iure*), then ignorance of the law cannot be forgiven (*ignorantia iurist non excusat*). Therefore, preventive legal assistance in the form of legal counseling needs to be massive.

2) Legal Diagnostic Assistance

Diagnostic Legal Aid is intended to provide guidance in the form of legal advice. For example diagnostic legal assistance can be given by giving instructions to CPMI in entering into work agreements. Because all agreements made legally apply to the law of those who make them, the position of the employment agreement is very important to understand.

3) Legal Aid for Conflict Resolution

Legal Aid to resolve conflicts is intended to help the parties involved in a legal case, both criminal law cases, civil law cases to state administrative matters. Legal assistance that can be provided can use the ADR / Non-litigation scheme such as mediation, negotiation and assistance outside the court. As well as legal aid in litigation, where the recipient of legal aid gives the power of attorney legal assistance to provide assistance and carry out the power of attorney at the level of investigation, prosecution until the examination at trial.

4) Legal Aid for Carrying Out Positive Legal Changes

The law is always limping in pursuit of changing times (*Het Recht Inackhter de Feiten Aan*), so one of the roles of legal aid is to adapt the law to the development of society. This legal aid is implemented in the form of legal research and legal document drafting³⁸ in the field of placement

and protection of Indonesian migrant workers.

5) Legal Aid for Using the Law as a Tool to Change Society

Legal education is one of the means to increase community legal awareness. The duration of legal counseling in the context of legal aid is provided to prospective Indonesian migrant workers. So legal education is holistic, both for migrant workers, prospective migrant workers, migrant workers out to the community at large. With legal education expected to be as minimal as possible there is no illegal recruitment orientation in the community, so that the community understands that legal placement will better protect and provide legal certainty for Indonesian migrant workers and families.

Legal Aid provided by BPKBH IAIN Tulungagung is aimed at fulfilling humanitarian aspects and aspects of legal awareness. The purpose of the humanitarian aspect is to ease the burden that must be borne by the community in the implementation of both litigation and non-litigation settlement, so that CPMI / PMI can get the opportunity to defend and protect the law. Besides that legal aid is also intended to increase legal awareness of the community. It is hoped that the legal aid program of BPKBH IAIN Tulungagung can open public understanding to understand regulations related to the placement of Indonesian migrant workers, understand rights and obligations, and understand what remedial actions can be taken when later in the work placement process legal problems occur.

2. Institutional Strengthening Steps of BPKBH IAIN Tulungagung in Supporting the Provision of Advocacy for Prospective Indonesian Migrant Workers and / or Indonesian Migrant Workers in Tulungagung Regency

The existence of the Institute for Consultation and Legal Aid (LKBH / LBH Kampus) is a strategy of developing legal education that supports the implementation of legal aid referring to the concept of Clinical Legal Eduaction.³⁹ The existence of LBH Kampus is very important for the progress of providing legal assistance, because:⁴⁰

³⁹ The Indonesian Legal Resources Center dan Forum Solidaritas LKBH Kampus, *Op.Cit.*, hlm. 4

⁴⁰ Ibid, hlm. 5-6.

³⁸ Lihat Febri Handayani, 2016, *Bantuan Hukum di Indonesia*, Kalimedia, Yogyakarta, hlm. 260-261.

- a) The number and distribution of Campus LBH is evenly distributed in remote areas. The Faculty of Law which established LBH became an opportunity for justice seekers to get legal assistance;
- b) There is enough support from human resources, both teaching staff and students. Legal knowledge is the main capital to provide legal aid services;
- c) Non profit orientation. The presence of LBH Faculty of Law starts from awareness and dedication in community service in the context of implementing a Community Oriented Legal Education, namely the realization of the 3rd dharma of the Tri Dharma of Higher Education in the field of law and humanity. This orientation is a solid foundation for providing legal services that are not profit oriented. The idealism of the faculty and students of the Law Faculty can be channeled, and justice seekers have been fulfilled their rights.

Today legal aid institutions that have specific legal aid programs tend to increase access to justice and equality before the law for those who are entitled to receive legal assistance. For example the emergence of legal aid institutions that focus on advocating for children's problems, gender and women's issues, disability issues and so forth. In the future BPKBH IAIN Tulungagung is expected to be a legal aid that has a special program, which is to become a legal aid center for PMI in the Kediri Residency.

The granting of legal aid to PMI is based on two principles carried out by John Rawls, namely the existence of the principle of equality and the principle of inequality. The principle of equality is understood as equality of position and rights, not in the sense of equality of results obtained by everyone. Migrant workers who are in fact in a weak position need to get guarantees of equal freedom with third parties and employers. Meanwhile, according to the principle of inequality, the weak party must get a higher chance, the opportunity to provide legal assistance for migrant workers is done solely so that migrant workers can benefit and get the opportunity to protect equal rights before the law.⁴¹

There are several action plans that need to be implemented in order to strengthen the function of BPKBH IAIN Tulungagung to support advocacy for prospective Indonesian migrant workers / Indonesian migrant workers in Tulungagung Regency in particular, and in the Kediri Residency in general:

a) Cooperation

The institutional strengthening step of BPKBH IAIN Tulungagung was carried out without consideration of the legal aspects that are regulated in the legislation.

In Pasal 7 Peraturan Daerah Kabupaten Tulungagung No. 25 tahun 2012 Jo. Peraturan Daerah Kabupaten Tulungagung No. 15 tahun 2015 concerning Legal Aid for the Poor, gave a mandate to the Tulungagung District Government to expand legal aid to the community in the form of cooperation with universities. The authority of legal aid is one of the concurrent representatives of the regional government, with the existence of Peraturan Daerah Kabupaten Tulungagung No. 25 tahun 2012 Jo. Peraturan Daerah Kabupaten Tulungagung No. 15 Tahun 2015 concerning Legal Aid for the Poor has shown the local government's commitment in providing services and fulfilling access to legal justice for the people of Tulugagung Regency.

In the process of reviewing the BPKBH IAIN Tulungagung institutional strengthening program, the researcher conducted an audience with the Tulungagung District Manpower and Transmigration Office. From the results of the hearing it was known that the Disnakertrans of Tulungagung Regency is currently not cooperating with legal aid institutions to provide legal aid as one of the rights of migrant workers. So far the legal aid process carried out by the Tulungagung District Manpower Office has only mediated disputes between CPMI and P3MI. One of the important findings obtained is the absence of parties who provide socialization of work contract standards for CPMI, where in practice disputes and legal issues that arise due to migrant workers' lack of understanding of work agreements, and / or existing work agreements are not in accordance with the standard agreement work as regulated in legislation. Based on the work agreement, Disnakertrans only has the role of ratifying the work agreement, while verification is carried out by BNP2TKI at the time of the Final Procurement of Departure (PAP).

The hearing was referred to in the discourse of cooperation between BPKBH IAIN Tulungagung and the Disnaker of Tulungagung Regency. Cooperation between agencies has been planned:

- 1) Legal counseling and socialization of PMI registration and placement process in potential villages / labor pockets. Cooperation is also carried out in order to provide an understanding of CPMI related to work agreements. In the future, it is expected that BPKBH IAIN Tulungagung can facilitate legal consultation in the form of a work agreement review, and provide

⁴¹ Asri Wijayanti, *Op.Cit.*, hlm. 12-13.

assistance to PCMI at the time of signing the work agreement.

- 2) Legal counseling and outreach to P3MI in Tulungagung Regency to conduct recruitment and job training in accordance with statutory regulations, as well as directing the process of employment placement services through LTSA PMI Tulungagung Regency.
- 3) Providing assistance to CPMI / PMI in the context of dispute resolution through mediation conducted by the Disnakertrans of Tulungagung Regency.

b) Capacity Building for Human Resources

The institutional strengthening of BPKBH IAIN Tulungagung was also carried out in the form of increasing the capacity of human resources. Human resource capacity building is carried out by organizing education and training for BPKBH IAIN Tulungagung lecturers and advocates in order to master the context of labor law, particularly legislation in the field of placement of Indonesian migrant workers.

The education and training program is also planned to be inseparable from the mechanism of collaboration between BPKBH IAIN Tulungagung and the Disnakertrans of Tulungagung Regency. In the future, it is expected that the Disnakertrans of Tulungagung Regency can become one of the speakers in this education and training program. In order to ensure a uniform understanding of the regulations and their implementation between the Tulungagung Manpower Office and the BPKBH IAIN Tulungagung. In the future the roadmap for cooperation and the division of roles in providing legal assistance to migrant workers in Tulungagung Regency can be implemented properly.

c) Mobilization of Alumni Roles as Partner Advocates

The role of alumni as a partner advocate at BPKBH IAIN Tulungagung is one important step for institutional strengthening. With the presence of partner advocates there are 2 (two) aspects that can be fulfilled in the legal aid process, namely the fulfillment of citizens' rights to be accompanied by advocates (access to legal counselor) and fulfillment of the obligation of lawyers to provide legal assistance free of charge.

The right of citizens to be accompanied by an advocate is a form of fulfilling human rights guaranteed to achieve social justice, especially in the field of law.⁴² Based on Pasal 27 ayat (1) UUD NRI Tahun 1945, the poor have

constitutional rights to be accompanied, represented and defended by lawyers in the process of resolving disputes inside and outside the court.⁴³

Besides that, the advocate profession as *officium nobile* requires lawyers to do honorable, inexpensive, responsible, honest and moral things (*noblese oblige*).⁴⁴ Providing legal assistance is a pressing obligation for advocates and has been regulated in Pasal 22 of Undang-undang No. 18 of 2003 concerning Advocates, that Advocates are obliged to provide free legal assistance to justice seekers who are unable.

d) Collaboration with the Tulungagung Migrant Center

The existence of the Migrant Center from the Center to the Regency / City level is a non-governmental organization that is concerned in providing escort and assistance to Indonesian Migrant Workers (PMI) relating to the fulfillment of rights and obligations starting at the time before until the time of their return.

e) Mobilizing the Role of Students of the Faculty of Sharia and Law Sciences IAIN Tulungagung

Acting as an active student of the Faculty of Sharia and Legal Studies IAIN Tulungagung whose families become Indonesian Migrant Workers (PMI) to solve their own family problems and provide counseling related to the rights and obligations of Prospective Indonesian Migrant Workers (CPMI) in Potential Villages of Indonesian Migrant Workers (CPMI)) to avoid any information manipulation / violation committed by Indonesian Migrant Worker Placement Company (P3MI)

f) Legal Aid Program Plan for BPKBH IAIN Tulungagung

The forms of legal aid planned in the BPKBH IAIN Tulungagung road map include:

1) Legal Education

Providing legal assistance to the community is not limited to providing assistance in the process of solving legal problems, but also providing legal education for the community through legal counseling.⁴⁵ This legal counseling is intended to increase the

⁴³ *Ibid*, hlm. 240.

⁴⁴ Agus Raharjo, Angkasa, Rahadi Wasi Bintoro, "Akses Keadilan Bagi Rakyat Miskin; Dilema dalam Pemberian Bantuan Hukum Oleh Advokat", *Mimbar Hukum*, Volume 27, Nomor 3, Oktober 2015, hlm. 439.

⁴⁵ Binziad Kadafi, 2001, *Advokat Indonesia Mencari Legitimasi: studi Tentang Tanggung Jawab Profesi Hukum di Indonesia*, Pusat Studi Kebijakan Hukum, Jakarta, hlm. 182.

⁴² Monika Suhayati, "Pemberian bantuan Hukum Cuma-Cuma Oleh Advokat Berdasarkan Undang-Undang No. 18 Tahun 2003 tentang Advokat", *Jurnal Negara Hukum*, Vol. 3, No. 2, Desember 2012, hlm. 238-239.

understanding and legal compliance of the general public, CPMI and CPMI families for the process of registration and placement of PMI in accordance with statutory regulations. Besides that legal counseling is also intended to reduce the number of Illegal PMIs from Tulungagung Regency. It is expected that with legal awareness, CPMI can understand the rights and obligations, work agreements and other forms of protection for the placement of migrant workers. Legal counseling is also conducted to provide understanding to the public about the accessibility of legal aid that can be carried out by BPKBH IAIN Tulungagung.

Implementing Activities: BPKBH IAIN Tulungagung, Disnaker Tulungagung Regency, LTSA PMI Tulungagung Regency.

2) Legal Consultation

Consultation in relation to reviewing work agreements between CPMI and P3MI. Implementing Activities: BPKBH IAIN Tulungagung and Avokat Mitra

3) Mediasi Negosiasi

When disputes occur before placement between CPMI and P3MI, BPKBH IAIN provides legal assistance in the form of dispute resolution assistance processes. As regulated in Pasal 77 of UU No. 18 of 2017 concerning Protection of Indonesian Migrant Workers, if there is a dispute between CPMI and P3MI regarding the implementation of the placement agreement, the dispute resolution shall be carried out by deliberation. If the deliberation does not resolve the dispute, BPKBH IAIN will continue to provide assistance until the dispute resolution process is carried out in mediation by the Manpower Office of Tulungagung Regency. Implementing Activities: Tulungagung Regency, Migrant Center

4) Community Empowerment

BPKBH IAIN Tulungagung actively participated in providing legal education through programs in the Tulungagung District Decmigratif. Implementing Activities: BPKBH IAIN Tulungagung, Disnaker Tulungagung Regency, LTSA PMI Tulungagung Regency, Student

Family of Indonesian Migrant Workers (PMI)

5) Drafting of Legal Documents

Legal research in the field of placement and protection of Indonesian migrant workers needs to be done regularly. The output from the legal research is expected to be a policy reference for the central and regional governments to improve the legal regulations in the field of placement and protection of Indonesian migrant workers. Implementing Activities: BPKBH IAIN Tulungagung, Disnaker Tulungagung Regency, Tulungagung Regency Government

6) Litigation

BPKBH IAIN Tulungagung also takes a role in providing legal assistance in litigation, when potential disputes and legal issues before placement become a court dispute, whether in the form of criminal, civil and employment law issues. Legal litigation provision includes services: a) Assistance and / or exercising power which starts from the level of investigation, investigation and prosecution or lawsuit; and b) Assistance and / or running power of attorney in the trial process at the hearing. Implementing BPKBH IAIN Tulungagung and Avokat Mitra

7

D. Conclusions

Based on the analysis that has been carried out on the results of research and studies that have been carried out, then some conclusions can be drawn as follows:

1. The role of BPKBH IAIN Tulungagung in advocating for Prospective Indonesian Migrant Workers and / or Indonesian Migrant Workers in Tulungagung Regency is to provide legal assistance aimed at fulfilling humanitarian aspects and aspects of legal awareness. The aim of the humanitarian aspect is to ease the burden that must be borne by the community in the implementation of both litigation and non-litigation settlement, so that CPMI / PMI can get the opportunity to independently defend and protect the law with a participatory approach. In addition, legal assistance is also intended to increase public legal awareness. It is hoped that the legal aid program of BPKBH IAIN Tulungagung can open public understanding to understand regulations related to the placement of Indonesian

2. migrant workers, understand rights and obligations, and understand what actions can be taken when later in the work placement process legal problems occur.
3. The institutional strengthening steps of BPKBH IAIN Tulungagung in supporting the provision of advocacy for Prospective Indonesian Migrant Workers and / or Indonesian Migrant Workers in Tulungagung Regency are: a) Conducting cooperation with the Tulungagung Regency Manpower and Transmigration Office; b) Increasing the capacity of Human Resources; c) Cooperating with the Migung Center of Tulungagung Regency; d) Mobilizing the role of alumni as Partner Advocates; and e) Mobilization of students of the Faculty of Sharia and Law of the family of Indonesian Migrant Workers (PMI) as legal counselors in the Potential Villages of Prospective Indonesian Migrant Workers (CPMI)

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Leadership of Senior High School Principal in Building Organizational Culture (Case Study in State Islamic Senior High School of Tulungagung)

8

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Abstract

Leadership is the ability to influence others so that they can jointly achieve the planned goals and the organization will be effective if the culture of the organization can be internalized within members of the organizational community. Existing leadership of State Islamic Senior High School of Tulungagung includes leadership patterns that are able to bring organizations more effectively and efficiently. This study describes the "Leadership of Senior High School Principal in Building Organizational Culture (Case Study in State Islamic Senior High School of Tulungagung), covers State Islamic Senior High School 1 of Tulungagung, State Islamic Senior High School 2 of Tulungagung, and State Islamic Senior High School 3 of Tulungagung. This research uses a qualitative descriptive approach, and this type of research is a case study on State Islamic Senior High School of Tulungagung, to obtain researchers' data using interviews, observation and documentation. The results of this study include; (a) The Role of State Islamic Senior High School Stakeholders in Tulungagung, including the roles of Leadership, Founders or Owners, and Interaction with individuals in the organization, (b) Behavior of Leaders in Building organizational culture which includes first the role of leader which is task oriented (1) Planning, (2) Providing information, (3) Monitoring of subordinates, (4) Solving problems, the two roles of the leader are oriented towards group maintenance (1) Giving support, (2) Giving Recognition, (3) Giving Rewards, (4) State Islamic Senior High School aging conflict and Team Building.

Keywords: Leadership, Senior High School Principal, and organization

A. Introduction

Leadership is the relationship of someone who will influence others to work in carrying out tasks in accordance with the wishes of the leader. Leadership in State Islamic Senior High School managerial processes is as a process of directing and influencing activities related to the duties of group members. Another concept of leadership is the art of moving others to be influenced to have an awareness of achieving common goals. (Druskat et al., 2003).

Berdasarkan definisi ini kepemimpinan oleh P. Robins (2002: 161) terdapat empat aspek dari kepemimpinan; (1) Kepemimpinan melibatkan orang-orang

(pegawai atau pengikut), oleh pemimpin akan menerima arahan dari pemimpin, (2) kepemimpinan melibatkan distribusi kekuasaan yang tidak merata antara pemimpin dan anggota kelompok. Definisi kekuasaan (power) adalah kemampuan untuk menggunakan pengaruh dalam arti kemampuan untuk mengubah sikap atau perilaku individu atau kelompok, (3) kepemimpinan adalah kemampuan untuk menggunakan berbagai bentuk kekuasaan untuk mempengaruhi perilaku pengikut dengan berbagai cara melalui tindakan atau contoh perilaku yang menyebabkan perubahan sikap atau perilaku kelompok dan (4) Menggabungkan ketiga aspek tersebut dan mengakui bahwa kepemimpinan adalah tentang nilai.

Dinamika dari pergerakan organisasi, esensi kepemimpinan adalah kemampuan untuk mempengaruhi orang lain sehingga mereka dapat bersama-sama mencapai tujuan. Keberhasilan organisasi dalam mencapai tujuannya dipengaruhi oleh gaya kepemimpinan pemimpin yang mendorong organisasi (Akpapere et al, 2019: 22).

Kepemimpinan yang ada di State Islamic Senior High School of Tulungagung, termasuk peran kepemimpinan transformasional, di mana kepemimpinan transformasional tidak hanya mempengaruhi pengikut untuk mencapai tujuan, tetapi lebih dari itu bertujuan untuk mengubah sikap dan nilai-nilai dasar dari pengikut melalui pemberdayaan dan pembangunan budaya dalam organisasi. Pengalaman pemberdayaan pengikut meningkatkan kepercayaan dan determinasi untuk terus melakukan perubahan meskipun dia sendiri akan terpengaruh oleh perubahan. (Gibson et al, 1996: 86).

Organisasi yang efektif adalah organisasi yang memiliki budaya, kepribadian yang kuat dan karakter yang merupakan organisasi yang memiliki kekuasaan untuk mengembangkan semua sumber daya untuk mencapai tujuan. Ketika organisasi yang memiliki budaya yang lemah adalah sebaliknya di mana kekuatan organisasi digrogoti oleh anggota dan untuk mencapai tujuan anggota sendiri, bukan tujuan organisasi (Robins, 1989: 96).

Organisasi akan menjadi efektif jika budaya organisasi dapat diinternalisasi oleh anggota organisasi, mempengaruhi perilaku mereka untuk menciptakan iklim kerja yang menyenangkan. Karena iklim kerja yang terpeliharakan budaya organisasi akan mampu menampilkan iman, kreatif, inovatif, dan perilaku sosial harus terus dikembangkan. Sehingga dapat menjamin hasil kerja dengan kualitas yang lebih baik, komunikasi terbuka, keterbukaan dan kebersamaan, kerja sama, hubungan kekerabatan dan menyesuaikan diri dengan perkembangan di luar.

Sebuah institusi yang efektif adalah institusi yang mampu melakukan perubahan yang cepat, terarah dan konsisten dalam institusi yang memiliki budaya organisasi yang kuat. Untuk membangun budaya yang kuat memerlukan keyakinan, *core values*, visi dan misi yang mampu menjadi paradigma dan pada saat yang sama menjadi kekuatan untuk perubahan (Tobroni, 2005: 115).

State Islamic Senior High School of Tulungagung District menunjukkan kemajuan dan keadaan internal yang kondusif dari

institution due to the leadership value system implemented in order to build a highly significant organizational culture.

From a number of leadership changes according to the leader researcher in State Islamic Senior High School of Tulungagung, including a spiritual leader. Because in obsessing the vision and dreams of using the activities of the heart and is a force that is able to consolidate all other huState Islamic Senior High School potential, namely the mind, heart, lust, spirit and body in order to achieve what is intended (Tobroni, 2005: 116).

Traditions that built in State Islamic Senior High School of Tulungagung want to have different characteristics from other universities. Culture in this case is a set of values that are shared and aspired to in order to realize productivity (in this case output and output) in accordance with what is expected by the community. At this time State Islamic Senior High School of Tulungagung has begun to be built and practiced by the entire academic community in internalizing Islamic values to build organizational culture.

Based on the above background the researcher is interested in developing more detailed research on "A Head Leadership Of Senior High School In Establishing Organizational Culture (Case Study at State Islamic Senior High School of Tulungagung)" with the aim of describing the leadership in State Islamic Senior High School of Tulungagung in building organizations, which includes the role of stakeholders, and leader behavior in building Organizational culture.

B. Research Method

The research method used is descriptive qualitative research approach using the type of case study. This case study approach researchers use for reasons as stated by Sevilla et. al in Abdul Aziz (1998 : 2), teknik collecting data used in this study are:

1. Participant Observation

Observation is interpreted as a systematic observation and recording of everything that appears on the object of research (Margono, 2005 : 159). The method of observation in this study was used to collect data related to the focus of the study.

In this case the researcher tried to make a systematic observation and recording of symptoms that appear in State Islamic Senior High School throughout of Tulungagung. As for the implementation of observation techniques in this study is to use participant observation to observe events as they occur on the field naturally.

2. Interview or Interview

The method of interview or interview is the process of obtaining information for research purposes by way of question and answer while face to face with the parties concerned (Nasution, 2002 : 113). The interview method for this research is used as a

guide in conducting research. In this case the researchers used a technique-depth interviews (*in deep interview*), by digging depth information on Leadership of Senior High School Principal in Building Organizational Culture (Case Study in State Islamic Senior High School of Tulungagung).

3. Documentation

The documentation method is a method used to find data about things or variables in the form of notes, transcripts, books, newspapers, agendas or others (Arikunto, 2006 : 20). In one study, the documentation technique was used as a source of supporting data. In addition, documentation data is needed to complete the data obtained from interviews and observations. Researchers in this case use the documentation technique to obtain data in the form of archives, records, books relating to the Implementation of Leadership in building organizational culture in State Islamic Senior High School of Tulungagung.

This study uses a case study design, with data analysis techniques according to Miles and Huber State Islamic Senior High School (1992 : 22), that qualitative research data analysis can be done through three activities that occur simultaneously: 1) data reduction, 2) data displays and 3) conclusion drawing / verification).

To guarantee the trust or validity of the data obtained through this research, it is necessary to test the validity and feasibility of the data carried out by means of : (1) Peer Discussion, i.e. by exposing provisional or final results obtained in the form of analytical discussions with colleagues who have the ability. (2) Data Triangulation, to find new information, to prove that the data that has been obtained is reliable data.

C. Research Result and Discussion

Based on research in the field that Leadership of Senior High School Principal in Building Organizational Culture (Case Study in State Islamic Senior High School of Tulungagung), it can be described as follows;

a. The Role in State Islamic Senior High School Stakeholders of Tulungagung

Monchi (1999 : 199) states that organizational culture does not just emerge but through a process that requires time and requires time and several ways, namely as follows:

1. Leadership

Organizational culture in state islamic senior high school of Tulungagung is inseparable from the influence of the character of the existing leadership, because the leadership character is still very thick with the influence of the boarding school cultural conditions such as the kyai leadership model, then that thing is still inherent in his personality so that the culture that looks like the culture is feeling of shame, seniority and

lack of courage to face challenges are inseparable from the attitude and behavior of their leaders.

Use values that are developed as the value struggle, devotion will be able to have a positive impact if the leadership can deal with state islamic senior high school as well. So it can be concluded that the culture and values developed in state islamic senior high school of Tulungagung are inseparable from the influence of the leadership as top State Islamic Senior High School agement.

According to Jeremy the Leader in moving his organization always begins with building the effectiveness and efficiency of the performance of his subordinates. In this context, by implication, organizational performance is strongly influenced by organizational leadership factors. (Ng'ethe et al., 2012; Jeremy et al., 2012).

2. Founding father

The founder and owner of the organization, which in this case is the ministry of religion, even though the three Madrasah Aliyah are inseparable from the private foundation of the community, the postscript comes from pesantren and local community leaders, so that it influences the formation of organizational culture. They realize the objectives, vision and mission in establishing this organization. As one of the madrasahs stated in state islamic senior high school 2 Tulungagung, as follows " state islamic senior high school in Tulungagung was established based on the agreement of the kiyai councilors at the time, and the Nahdlatul Ulama State Islamic Senior High School agement of Tulungagung, also the blessings of the Kyai and community leaders such as: KH. Arif Mustaqim who gave birth to state islamic senior high school 1 Tulungagung, Head of the Religious Education Office of Tulungagung, who gave birth to state islamic senior high school 2 Tulungagung, who was PGA, and KH. Affandi Islamic Education Foundation Pesantren Sabilil Muttaqien YPI PSM Tanen Rejotangan Tulungagung which gave birth to state islamic senior high school 3 Rejotangan.

The role of the leader in State Islamic Senior High School aging the organization is very important. The leader has the role to direct and guide the organization to achieve organizational success and oversee the organization so that it does not experience errors in its implementation (Kotter, 1995: 73).

Seeing the reality of the condition of the founders of this institution are the (*kyai*) councils and pesantren caregivers, it is not impossible that the culture developed by state islamic senior high school institutions in

Tulungagung is still heavily influenced by pesantren culture

3. Interaction with individuals in the organization

Cultural organizations also exist because of the interaction of individuals that exist within the organization, in the organization of each individual who has karakteristik and different backgrounds. With this interaction between individuals will understand each other and influence the behavior that is brought from the culture in which they come from and finally there will be an internalization of the cultural values of the organization.

Seeing the majority of state islamic senior high school community members in Tulungagung having a pesantren life background, the existing culture is influenced by pesantren cultural values such as the value of devotion, struggle and togetherness. As one student expressed about the cultural conditions in state islamic senior high school in Tulungagung as follows:

Cultural values developed at state islamic senior high school in Tulungagung are still not far from pesantren cultures. Because it is also supported by the campus environment and the community that is thick with the world of pesantren. What's more most students, and lecturers and employees are having a background in the life of the pesantren, so it's no wonder that pesantren cultures still influence the current culture. And these cultures have negative values and positive values. This negative culture that should be replaced should not necessarily be maintained, such as a relaxed culture and do not want challenges, culturalization and so on.

Culture that is formed from the interaction of individuals is also inseparable from the influence of leadership behavior in socializing these values to campus residents, these behaviors can be done by leaders to socialize and dispute positive values towards the institution. And conversely prevent the existence of a culture that is not good that can hamper the progress of the institution of culture that results from the interaction between individuals. cultural State Islamic Senior High School agement needs to know the factors that influence it, as noted Mondy and Noe (1990: 315) these factors are

communication, motivation, organizational characteristics, administrative processes, organizational structure and State Islamic Senior High School age ment style.

According to Bhargavi (2016: 4) that subordinates have good perforState Islamic Senior High School ce and commitment to advance the organization and the creation of job satisfaction, the leader is required to have the motivation and creativity to guide his subordinates to have a competitive spirit in achieving organizational goals. (Bhargavi & Yaseen , 2016; Bass & Riggio , 2006; LuftState Islamic Senior High School , 2004).

b. Leader Behavior in Building organizational culture

Leadership behavior is the behavior or personalities of leaders related to their duties and roles. As a leader, leadership behavior is understood as a personality (*personality*) a leader who was State Islamic Senior High School ifested in the activities of its leadership in relation to State Islamic Senior High School aging tasks / work with the subordinate relationship to achieve organizational goals

Changes in organizational culture towards a very good culture are strongly influenced by the existence of stimuli, motivation and strong incentives for organizational leaders to their subordinates. . (Senge , 1990).

The behavior of a leader is related to a number of things, namely the ability he has, the character of the subordinate he leads and the position he holds and the organizational culture and conditions that accompany it. An organization's competitive advantage stems from the leadership style of its leader. (Al Khajeh , 2018).

So in this case what we study is the behavior of the leadership in relation to building the organizational culture in state islamic senior high school in Tulungagung. There are two aspects that are oriented in leadership behavior in building organizational culture, namely:

1. The Role of Leaders in Building Organizational Culture

The aspects of the state islamic senior high school leadership approach in Tulungagungemphasize the functions performed by leaders in their groups in building organizational culture, so that leaders run effectively, leaders must have two functions, namely:

a. The role of the leader is task oriented

The behavior of leaders in stateislamic senior high school in Tulungagungto State Islamic Senior High School age work in building organizational culture, among others through (1) planning , (2) Providing information , (3) Monitoring of subordinates , and (4) solving problems . So

it can be seen that the leadership of state islamic senior high school in Tulungagungseeks to face and solve problems into problem solving in all the problems faced by subordinates .

According to Sun (2002) in his research entitled The Relationship among the Leadership Style, Organizational Culture and Organizational Effectiveness Based on Competing Value Framework: An Empirical Study for the Institute of Technology in Taiwan, found that in school or company organizations, leadership style and perforState Islamic Senior High School ce organization has a very high correlation .

b. Behavior function oriented towards group maintenance

This group maintenance behavior prioritizes the life of togetherness and the welfare of the staff, so that the values of togetherness will be realized in organizational life. As the activities carried out by the behavior of leaders in building organizational culture , including.

1. Provide support ; Support is one of the concerns given to subordinates by giving positive acceptance, as well as providing confidence and being willing to provide assistance to the work of employees . Wang's research results have been corroborated by McGrath & MacMillan in his study entitled The Entrepreneurial Mindset in 2000, that leadership style has a very strong relationship with the perforState Islamic Senior High School ce of the organization he leads.

2. Give Recognition ; Recognition of the success of subordinates is very important to do, because huState Islamic Senior High School nature always wants to be recognized, so that the behavior of the leader will be able to resurrect to carry out tasks better and respect the efforts of employees or in making improvements despite failures .

In research on leadership, there is a very significant relationship between the leadership style of an organization's leader, and the perforState Islamic Senior High School ce of his organization. (Wang et al., 2010).

3. Give Rewards ; The giving of rewards is a form of behavior that must be carried out by the leadership, because by giving rewards for the work done by the

staff will give enthusiasm and also feel valued staff success. Giving rewards will be able to incite competition to improve the quality of the institution. Either in the form of rewards or an increase in position on the achievements .

According to Schein (1999: 21) leaders have the greatest potential in instilling and strengthening cultural aspects with five mechanisms namely; (1) Attention, (2) Reaction to the crisis, (3) Role modeling, (4) Allocation of rewards, and (5) criteria for selecting and dismissing

D. Conclusion

The conclusion of the research about the implementation of Transformational Leadership d Natural Building Organizations in state islamic senior high school in Tulungagung , among others; (a) The Role of state islamic senior high school Steakholders in Tulungagung, including the roles of Leadership, Founders or Owners, and Interaction with individuals in the organization, (b) Behavior of Leaders in Building organizational culture which includes *first the* role of leader which is task oriented (1) Planning, (2) Providing information, (3) Monitoring of subordinates, (4) Solving problems, *both* roles of leaders oriented to group maintenance (1) Giving support, (2) Giving Recognition, (3) Giving Rewards, (4) State Islamic Senior High School aging conflict and Building Tim .

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Implementation of *Ijtihad Maqasidi* in Relationship (*Qira'ah Mubadalah*) with Ecofeminism as Confirmation of *Fiqh Al-Bi'ah*

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Abstract: In various problems regarding ecological distortion, women based on facts and data appear to have more concern in protecting the environment. This fact is caused by various factors, sometimes personal perspectives on the environment, men tend to be less collective in dealing with ecological crises, whereas maintaining the environment is a commandment of God to humans without distinguishing the opposite sex (Q.S.Al-A'raf 56-58). Some researchers revealed that the reason was influenced by biological factors, as well as historical and cultural factors. The God's orders, to mankind to care for the environment (hifdz al-bi'ah) are not only for one particular sex, although in reality women have more roles and preserve the environment. From the data of the Ministry of Environment and Forestry (KLHK), it is realized that the role of women to mobilize a community is very large. Supported by 2017 Central Bureau of Statistics (BPS) data, there are around 69.6 million women in Indonesia supporting various sectors including the economy and environmental preservation. Ecofeminism is a women's movement that cares about environmental welfare. This movement was allegedly the point of women's jihad against the ecological crisis. In the rise of industry and the development of patriarchal science, this theory developed to counteract inhumane actions. In Islamic literature this theory is in line with the concept of maqasid al-shari'ah, namely hifdz al-bi'ah. Between women and the environment like two currencies that cannot be separated. Both have the attitude of mubadalah (loneliness) that perfects one another.

Keywords: Ijtihad maqasidi, women, hifdz al-bi'ah, ecofeminism

A. INTRODUCTION

Industrial development which is carried out on a large scale by the Indonesian government requires more awareness and care from various community groups, this fact is difficult to avoid because entering the 21st century people face a series of environmental problems that have a very significant impact on the resilience of the flora and fauna layers commonly known as biosphere.⁴⁶ This will be a big threat to living things because in a short time it will become an incurable disease. Sazkia Sassen, a Columbia University professor in her research noted that around 24% of land degradation continued to roll from 1981 to the end of 2003,⁴⁷ this condition is supported by global warming which attacks the surface of the earth, also supported by the accumulation of waste due to massive industrial projects.

According to data from the Central Statistics Agency (BPS) in 2017, there are around 69.6 million women of productive age who are very concerned about the environment and are productive in a community working to make a movement to protect the environment. Realizing this, the Ministry of Environment and Forestry (KLHK) designed social activities with the theme of preserving the environment specifically for women.⁴⁸ Proven in many environmental cases, women's track record is unavoidable which has been proven to have more sensitivity to protect the environment. Puji Retno Hadiningtyas in his research explained the resistance of women in combating environmental injustice and ecological issues in Papua, women have a very important role in maintaining the stability of the survival of the Papuan people. The struggle of Papuan women in freeing themselves from violence, especially originating from the structure and culture of society, natural conditions, and customs has given rise to resistance to women's positions. In Papua, the patriarchal system is still very thick, where women are positioned as workers, processors of foodstuffs, and harvest sellers play the role of both producer and consumer.⁴⁹

The attitude of isolation between women and the environment described above is a form of implementation of the *qira'ah mubadalah* because it

has manifested the message of the Qur'an to become a caliph on earth whose job is to care for and preserve nature and its contents. Coupled with the aim of creating the earth and its contents are nothing but a means of worshipping God so that humans easily realize the role of their servants, this argument is in line with the cosmology of the Qur'an Taha verses 53-54, that the relationship between humans and nature cannot be separated because between the two will be realized mutual perfection.⁵⁰ The word caliph itself in this phrase is general, there are no takhsis aimed at men and women, Muslims and non-Muslims, but are general that applies to all creatures.

But the reality is, protecting the environment (*hifdz al-bi'ah*) experiences a distortion of meaning, women from patriarchal culture must ultimately accept labeling as a creature that - should be more concerned about - environmental preservation.⁵¹ Why is that? because women have more responsibility to look after their reproductive organs as well as maintaining overall organ health. The case of mining and the construction of a cement factory in Kendeng, Central Java illustrates how women must occupy the first line to refuse the operation of the project, as well as women in the Dani tribe who must be at the forefront to avoid the consequences of the Freeport company.

From this fact, the writer wants to portray the attitude of women (*mubadalah*) and environment, both of which have a reciprocal attitude to realize the perfection as intended by shari'a. the writer will use the *ijtihad maqasidi* approach as an intermediary for achieving balance and benefit between God as the rule maker and humans as the executor. The benefit as referred to by Jasser Auda is the construction of the old model *maqasid* which uses the nature of protection and preservation (maintaining and preserving) to the attitude of development and rights (development and fulfillment of rights). which aims so that humans as law enforcers are not wrong in capturing shari'ah messages.

B. IJTIHAD MAQASIDI AS APPROACH

Maqasid al-shari'ah is an approach that prioritizes the principles of humanity and benefit. From the sentence form *maqasid al-shari'ah* consists of the word *maqasid* which means purpose and al-sharia which means the commands and prohibitions of God related to human behavior.⁵² In the context of Islamic law, Al-Syatibi is called the

⁴⁶ Thalbah and Ahmad Mufid, *Fiqih Ekologi Menjaga Bumi Memahami Makna Kitab Suci*, Yogyakarta: Total Media, 2008, xi.

⁴⁷ Saskia Sassen, *Expulsion: Brutality and complexity in the global economy*, Cambridge: The Belknap Press Of Harvard University Press-Cambridge, 2014, 153.

⁴⁸ <http://ppid.menlhk.go.id/cgi-sys/suspendedpage.cgi>

⁴⁹ Puji Retno Hadiningtyas, Resistensi Perempuan Papua di Lingkungannya dalam Roman Isinga Karya Dorothea Rosa Herliyani, *Jurnal Aksara*, Vol 28 No.2 2016, 4.

⁵⁰ Q.S. Thaha (20:53-54)

⁵¹ Jasser Auda, *Maqasid al-Shari'ah as Philosophy of Islamic Law a System Approach*, Herndon: International Institute of Islamic Thought, 2008, 5.

⁵² Abd al-Majid An-Najjar, *Maqasid al-Syrai'ah Bi 'Ab'ad al-Syari'ah*, Tunis: Dar al-Gharb al-Islami, 2012, 15.

first scholar of the originator of this theory, through his classification of human benefit can be realized if the five basic elements of human life can be realized and maintained, namely religion or belief, soul, reason, descent, descent and property, this classification then in summary on the scale of priority *maslahat* include *daruriyat*, *hajiyyat*, and *tahsiniyat*.⁵³ In the period after al-Syatibi, *maqasid al-shariah* as a tool to explore the law (*ijtihad maqasidi*) experienced a very rapid increase, increasingly complex problems triggered scholars of Islamic law to reinterpret and develop methodologies. The name al-Raysuni appears that sees every *amaliyah* law in human life always related to the creed, so that the *maqasid al-sharia* becomes a tool to lead to the wisdom behind the words of god, faith, purpose and benefit.

Slightly different from al-Raysuni, Ibn Ashur defines the *maqasid al-sharia* as wisdom that is maintained by *shari'a* in every behavior, generally applies to all types of legal purposes, and the legal meaning which is generally not considered as a whole but is maintained in the form of protection other.⁵⁴ This is what Jasser Auda called development and right which is the development and fulfillment of rights which then creates a form of protection to maintain environmental balance and ward off the ecological crisis in human life called *hifdz al-bi'ah* or protection of the environment. the word *bi'ah* in that word is explicitly not listed directly in the Koran and al-Sunnah, but implicitly the components contained in the word *bi'ah* (environment) include animals, plants, metals, the universe and geographical area.⁵⁵

During the renewal of contemporary methodology, the name Jasser Auda is often mentioned in addressing millennial problems. Auda's main reason for developing this methodology is for the realization of humanity, benefit and fulfillment of rights, both for humans and animals, plants and objects created in the universe, therefore making *maqasid al-syaria'h* an approach that is a choice right. But according to him, to be able to answer the increasingly complex contemporary problems one must develop a methodology. Therefore, Auda developed the concept of *maqasid*

al-sharia from the old individualistic theory to a more comprehensive method.⁵⁶

As a form of appreciation for Auda in developing Islamic legal methodology is through the application of *maqasid al-shari'ah* through several steps. Firstly, Auda distinguishes the degree of *fiqh* as a legal product from a fixed *syariah*, therefore *fiqh* must not be silent as a problem that is always changing and in every law there is a hidden wisdom. Second, the nature of the sensitivity possessed by law makes the law partially incomprehensible, get to the root of legal philosophy. Third, the nature of openness of Islamic law contains a divine dimension and morality so that the *maqasid* (goal) of God as *shari'a* and human beings as *mukallaf* (perpetrators of law) are reached. the four characteristics of humanity and interconnectedness with all elements of Islamic law that are not enough are only classified in *dzaruriyat*, *hajiyyat*, and *tahsiniyat*, because they will only reduce the urgency of each. Fifth, contemporary *Fiqh* whose products do not stand alone but have interconnection and are multi-dimensional.⁵⁷

Auda also developed the mechanism of *Maqasid al-Sharia* to a broader understanding or development not only stop at the effort for preservation or preservation. As an example of *maqasid* development, we will at least explain it in the table below:

Num	Maqasid type	Development	Explanation
1	<i>Hifdz al-din</i>	<i>hurriyyah al-I'tiqad</i> religious freedom	The meaning of preserving religion does not stop at carrying out religious orders, because textualist

⁵⁶ Ahmad Musonnif, *Maqasid al-Syari'ah dalam konteks Fikih Nusantara*, the article delivered in Launching Centre Of Fiqh Nusantara IAIN Tulungagung 2018. Compare with Muhammad Faisol, "Pendekatan Sistem Jasser Auda Terhadap Hukum Islam: Ke Arah Fiqh Post-Postmodernisme", *Kalam: Jurnal Studi Agama dan Pemikiran Islam*, Volume VI, Nomor 1, Juni 2012.

⁵⁷ Muhamamad Lutfi Hakim, "Pergeseran Paradigma Maqasid Shariah dari Klasik sampai Kontemporer", *Jurnal al-Manahij*, Vol X, No 1, Juni 2016, compare with Jasser Auda, *Maqāsid al-Ahkām al-Shar'īyyah wa 'Ilāhuhā*, http://www.jasserauda.net/modules/Research_Articles/pdf/article1A.pdf. Compare with Muhammad Faisol, "Pendekatan Sistem Jasser Auda Terhadap Hukum Islam: Ke Arah Fiqh Post-Postmodernisme", *Kalam: Jurnal Studi Agama dan Pemikiran Islam*, Volume VI, Nomor 1, Juni 2012.

⁵³ Al-Syatibi, *al-Muwāfaqāt Fī Usūl al-sharī'ah*, Beirut: Dar al-Kutub al-'Ilmiyah, t.t, 228, al-Qardhawi, *al-Siyāsah al-Shar'īyyah fī Dhaw' Nusūs al-Shariah wa Maqasidiha*, Kairo: Maktabah Wabbah, 1998, 272.

⁵⁴ Tahir Ibn Asyur, *Maqasid al-Syariah al-Islamiyah*, Tunisia: *Dar Sukhun Li al Nashr wa al Tawzi'*, 2007, 49.

⁵⁵ Muhammad Khalil 'Itani, *al-Mu'jam al-Mufasssal li Mawadi' al-Qur'an al-Munazzal*, Beirut: Dar al-Ma'rifat, 2000, Usamah Kamil Abu Shaqra, *Dalil al-Mawdu'at fi al-'Ayat al-Qur'an al-Karim*. Beirut: Mu'assasah al-Rayyan, 2001.

			understanding of religion will only lead to radical and inclusive attitudes
2	<i>Hifdz al-Nasl</i>	<i>hifdz al-Usrah</i> (look after the family)	Maintaining <i>nasab</i> not only in the context of guarding from adultery, but more broadly to the meaning of protecting the family starting from the control of education, association and even food that is consumed daily.
3	<i>Hifdz al-Nafs</i>	<i>hifdz al-karamah al-Insaniyyah</i> atau <i>hifdz al-Huquq al-Insaniyyah</i> (protect human rights).	Safeguarding lives is not only limited to saving lives, but more broadly protecting the rights of every citizen / community
4	<i>Hifdz al-Aql</i>	Development of Science, Technology and science.	Keeping the mind is not limited to avoiding alcohol so that the mind / brain is not disturbed, but it enables the mind to think in a wider range in order to understand science
5	<i>Hifdz al-mal</i>	Financial and economic management	The understanding of safeguarding assets does not stop in the effort to give alms but extends to maintaining

			financial management and economic stability.
6	<i>Hifdz al-Bi'ah</i>	<i>Hifdz al-'Alam</i>	Protecting the environment does not only pay attention to the surrounding environment in a narrow range, but preserves all elements in the universe such as the sea, forests, plants, mountains, springs, rivers, animal air, metals and the atmosphere which aims to maintain a healthy body, and maintain tools special reproduction for women.
7		<i>Hifdz al-mujtama'</i>	maintain community stability
8		<i>Hifdz al-dawlah</i>	maintain state stability

One of the human needs is to maintain environmental cleanliness, nature, maintain beauty, maintain health and protect from damage. This human nature eventually gave birth to creative ideas so that gave birth to art and diversity of works.⁵⁸ In the teachings of Islam, the holy book of the Koran is one proof of God's masterpieces that are extraordinary, full of meaning and beauty of the language, this fact is of course addressed to the Arabs who at the time of the revealed of the holy books many loved poetry and art prose, although in general the Koran is intended for all Muslims in the world. Another reason is focused on God's love for beauty, because with high beauty and art it will bring wisdom and wisdom.⁵⁹

⁵⁸ Siti Aesijah, "Latar Belakang Penciptaan Seni: Background of Creative Art", *Jurnal Al-Manahij* Vol. 1 No. 2/September – Desember 2000.

⁵⁹ Kamali Nader and Javdan Moosa "The Relationship between Art and Psychology", *Journal of Life Science and Biomedicine*. 2 (4), 2012

C. INTERJECTION OF *IJTIHAD* MAQASIDI WITH ECOFEMINISM: AN IMPLEMENTATION OF *QIRA'AH MUBADALAH*

The beauty that is manifested in the universe must actually be encouraged by caring for the environment. There is a very close relationship between humans and the environment. God as the One who loves beauty so directs mankind to always carry out environmental surveillance in order to complete human life and at the same time perfect servitude to Him. Therefore, the creation of the whole sky and its contents is both a means of worship and at the same time as a tool for civilization and *muhasabah*, in line with this argument, Allah explains in Q.S. Thaha verses 53-56:

الَّذِي جَعَلَ لَكُمُ الْأَرْضَ مَهْدًا وَسَوَّلَ لَكُمْ فِيهَا سُبُلًا وَأَنْزَلَ مِنَ السَّمَاءِ مَاءً فَالْخُرُوجُ بِهِ أَزْوَاجًا مِنْ نَبَاتٍ شَتَّى كُلُوا وَارْزُقُوا أَنْعَامَكُمْ إِنَّ فِي ذَلِكَ لَآيَاتٍ لَأُولِيَ الْبَالِي مِنْهَا خَلَقْنَاكُمْ وَفِيهَا نُعِيدُكُمْ وَمِنْهَا نُفَعِّدُكُمْ تَارَةً أُخْرَى

“he is the god who made the earth for you a stretch, and he has created a way, raining down from the sky. So we created you various kinds of plants, fruits. Eat all of you, and feed your animals, all of these contain bunches of Allah's mercy to those who think”

The above verse implies the meaning that God wants the universe and its contents to be used by humans to carry out survival, therefore it needs to be balanced with the preservation, preservation and good care of the environment, so that a common benefit arises. *Maslahah* in the terminology of *Ushul Fiqh* is understood as everything that can manifest goodness and avoid the consciousness and interpretation in human life.⁶⁰ That is, all of the stipulated provisions have goals (*maqasid*), not only containing the main idea, but also a moral idea that is hidden in it so that it can be understood what the true meaning of God aspires.

In understanding the problem, the author is interested in classifying *maslahat* with the terms *qath'iy* and *zanny* or in other languages *tsawabith mutaghayyirat*. Although in understanding the meaning of both there are *khilafiyah* among scholars. Not in line with Masdar Farid Mas'udi who interpreted *Qath'iy* as a principle, clearer fundamental, and *zanny* for the elaboration of these principles, KH Husein Muhammad mentioned Masdar Farid's offer in terms of *kulliyat* and *juz'iyat* namely the content of universal meaning and particular.⁶¹

Starting from these two opinions, the writer implements *qath'i* and *zanny* in understanding *maslahah* as an attempt to explain the idea of *qira'ah mubadalah*, in this context is interpreting the idea of *hifdz al-bi'ah* which is one of the main ideas of *ijthad maqasidi*. So that the terminology of *maslahah qath'iy*, *maslahah zanny*, and vice versa appear the terms *mafsadah qath'iy* and *mafsadah zanny*. *Qat'iy maslahah* is a positive value that absolutely does not change for any legal reason, *zann al-maslahah* is the dilemmatic benefit between positive and negative impacts. While the meaning of the negation, *mafsadah qath'iy* is damage whose impact is not negotiable, whereas *mafsadah zanny* is damage whose impact is due to inequality or injustice, actually *mafsadah zanny* is not much different from the *zannah* problem, only the *zann* problem dominates its *maslahah* value whereas *mafsadah zanny* is more dominant.

In this paper, the sensitivity of women in protecting the environment due to the ecological crisis is an example of the implementation of *maslahah*. This view is by Vandhana Shiva, a sociologist from India called *ecofeminism*.⁶² *Ecofeminism* is an effort to build knowledge that connects women and the environment. More specifically, *ecofeminism* emerged as a theory that discussed the relationship of women to the ecological crisis, due to industrial development and the outbreak of waste, thereby disrupting human life from productivity, growth and necessities of life. Development projects are a core reason that will destroy women's health and women's productivity, because projects in the name of development have usurped the management and control of land, water and forests from women's hands.⁶³

There is interconnection between *maslahah* and *ecofeminism*. *Ecofeminism* supports the activities of women to jointly fight patriarchy, capitalist attitudes and understandings that reduce women's freedom. According to Shiva, women must be saved from development productivity which causes *mafsadah*, because the impact of the ecological crisis is very fatal. Women with nature are like parents and children, women protect nature because they want to look after their children and family, so women treat the natural environment very feminine. Women will consider the consequences of littering if they do not distinguish between organic and non-organic, women do not dare to poison the land or the sea because they do not want their children and families

⁶⁰ Abu Hamid Al-Gazali, *Al-Mustasfa*, Beirut: Dar al-Fikr, t.th. 286.

⁶¹ Faqihuddin Abdul Kodir, *Qira'ah Mubadalah : Tafsir Progresif untuk Keadilan Gender dalam Islam*, Yogyakarta: IRCiSoD, 2019, 145.

⁶² Vandhana Shiva, dan M. Mies. *Ecofeminisme: Perspektif Gerakan Perempuan dan Lingkungan*. Terjemahan Kelik Ismunanto dan Lilik. Yogyakarta: IRE Press, 35.

⁶³ Puji Retno Hadiningtyas, Resistensi Perempuan Papua di Lingkungannya dalam Roman Isinga Karya Dorothea Rosa Herliyani, *Jurnal Aksara*, Vol 28 No.2 2016, 145.

poisoned. Women do not smoke because they are very concerned about the respiratory health of children and families. All this happens because women are individuals who are more often in contact with nature, every day in contact with water to boil, to bathe themselves and their families, contact with cooking spices all of which must be clean and free of drugs so that families are free from the exploitation of the universe. Therefore ecofeminism is a form of benefit that must be upheld.

The relationship created between women and the environment is not just material, but intimate interconnection between the earth and its society,⁶⁴ this is also another reason why women have more sensitivity to protect the environment than men.⁶⁵ Men who smoke affected women, Yu Patmi, Kendeng women along with other female peers are considered irresponsible because they leave the family due to their actions cementing the legs, even though these women are supporting the family's needs. From this fact, the relationship between masalah and ecofeminism lies in the massive movement of women who simultaneously maintain the preservation of nature in order to avoid interpretations in the form of extractive exploitation of nature. Women no longer think about individual interests, but think about the fate of the people around them, because the impact received due to the ecological crisis is not a normal problem and therefore women no longer pay attention to *al-maslahah al-Khasah* but pay attention to *al-maslahah al-'amah*. In other languages women prioritize the public interest rather than personal interests.

Due to the basic reasons above, the obligation of women to protect the environment and nature is a *qath'iyy* issue, absolute and non-negotiable. Because for women destroying nature is the same as destroying children and families, poisoning nature is the same as killing children and their families, ironically, women will not be convinced of their lives if the environment is reduced by waste and the like. While industrial development is carried out on a massive scale is *maslahah zanny*, because on one side there are those who need and receive benefits, but on the other choice there are those who receive *mafsadah*. This dilemmatic situation positions development carried out by the State or private companies does not mean that it does not carry *maslahah* values, only that strategies are needed so that industrial development is not radically and patriarchally realized, so that what is called justice. While waste pollution, tree deforestation, littering, spraying medicines on plants is *mafsadah qath'iyy*, namely damage that cannot be forgiven and absolutely harms many parties. the whole community will receive negative impacts without classification of sex, age and even social status.

D. PRINCIPLES OF HUMAN INTERACTION WITH *HIFDZ AL-BI'AH*

The principle of protecting the environment (*hifdz al-bi'ah*) is a moral idea that is not only related to physical or material needs, but more than that, the principle of protecting the environment is proof of my loyalty to his god. In surah ad-Dzariyat verse 56, God says the word of *khalafu al jinn wa al ins illa liya'budun*, the first thing that is the main purpose of God for the creation of creature is to see the level of loyalty of the creature to his god. In the same language God explained in Surah al-An 'Am verse 165:

وَهُوَ الَّذِي جَعَلَكُمْ خَلَائِفَ الْأَرْضِ وَرَفَعَ بَعْضَكُمْ
فَوْقَ بَعْضٍ دَرَجَاتٍ لِّيَبْلُوَكُمْ فِي مَا آتَاكُمْ ۗ إِنَّ رَبَّكَ
سَرِيعُ الْعِقَابِ وَإِنَّهُ لَغَفُورٌ رَحِيمٌ

"Dan Dialah yang menjadikan kamu penguasa-penguasa di bumi dan Dia meninggikan sebagian kamu atas sebagian yang lain dengan beberapa derajat, untuk mengujimu tentang apa yang diberikan-Nya kepadamu. (And it is He Who has made you rulers of the earth, and He has exalted some of you with others, with some degree, to test you of what He has given you)"

In understanding the above verse, Imam Ibn Kathir interprets the *khalifah fi al-ardh* in the verse as a person who takes steps to prosperity and success for the generations to come, not to do harm to the next generation. Because in principle, Islam does not allow leaving a weak generation. That is, efforts to prosper not only stop at one time, but continue continuously from another generation of generation.⁶⁶ Therefore, humans are required to have a major role in terms of caring for the environment. The natural environment needs attention for the future prosperity of the next generation. Because by paying attention to nature will create a balance between creatures on earth. Protecting the environment is also evidence of expressions of thankfulness to God for the creation that has been given, so that humans get the mandate to do justice to nature. Because human beings really need plants, nature and everything in order to carry out life, and vice versa, humans as caliphs must be willing to protect the natural surroundings so that they are intertwined between caring for one another and benefiting one another, and the title of *khalifah al ard* is the most important principle for humans in protecting the environment.

Another principle that underlies the importance of humans protecting the environment is how much man utilizes the universe that God created. In surah al-Jasyiah verse 56 Allah explains that the purpose of creating the universe is to bring about benefit, not to cause harm. even the entire creation of God on

⁶⁴ Shiva, *Ecofeminisme*, 154.

⁶⁵ Shiva, *Ecofeminisme*, 54.

⁶⁶ Ibn Kathir, *Tafsir al-Quran al-'Azim*. Beirut: al- Maktabah al- 'Asriyya, 1996, 185.

earth has benefits without being in vain.⁶⁷ Another principle that underlies the importance of protecting the environment is the individual's responsibility to other individuals, all of whom have rights and obligations that have been organized regularly as *sunnatullah*. Nature has the right to get respect from humans, because humans will also use the universe, the ability given to humans and make humans a creature that is more important than other creatures is the principle affirmed by God to humans to have a good and human personality.

In the micro sphere, Islam through methodological channels has explained the problem of the principle of protecting the environment, for example in the case of industrial development, water retention from reservoirs. When the cause of the above cases is carried out procedurally (*muwafiq al-'adah*) and still within reasonable limits, then such conditions can still be tolerated. However, if it results in sustainable adherence and the use of industry is not accompanied by improper and unprocedural use (*mukhalif al-'adah*), then that must be followed up on.⁶⁸ This kind of law applies if it is not related to legal and binding regulations. But the government has set a ban on environmental destruction, such as disposing of waste not in a procedural way, then the government is absolutely authorized to provide action or determine compensation for any environmental damage caused. This principle is in line with the government's main obligation to do good for the people and to anticipate any negative excesses that are likely to emerge (*fi'lu al-ashlah wa raf'u al-dlarar*).

E. CONCLUSION

Maqasid sharia in entering the contemporary era must be implemented in the form of development, no longer maintaining or preserving, in the language of Jasser Auda protection prevention to development and right, then *hifd al-bi'ah* is no longer understood as protecting the environment but developing into *hifdz al-'alam*.

In this paper, the idea of *qira'ah mubadalah* which has an interconnectivity with the theory of ecofeminism is interpreting the idea of *hifdz al-bi'ah* using the terminology of *qath'iy* and *zanny*. So that the terminology of the *qath'iy maslahah*, the *maslahah*, and vice versa, the term *mafsadah qath'iy* and *mafsadah zanny* appear. The obligation of women to protect the environment and nature is the *qath'iy al-maslahah*, because it is absolute and non-negotiable. While industrial development is carried out on a massive scale is the issue of *zanny*, because on one side there are those who

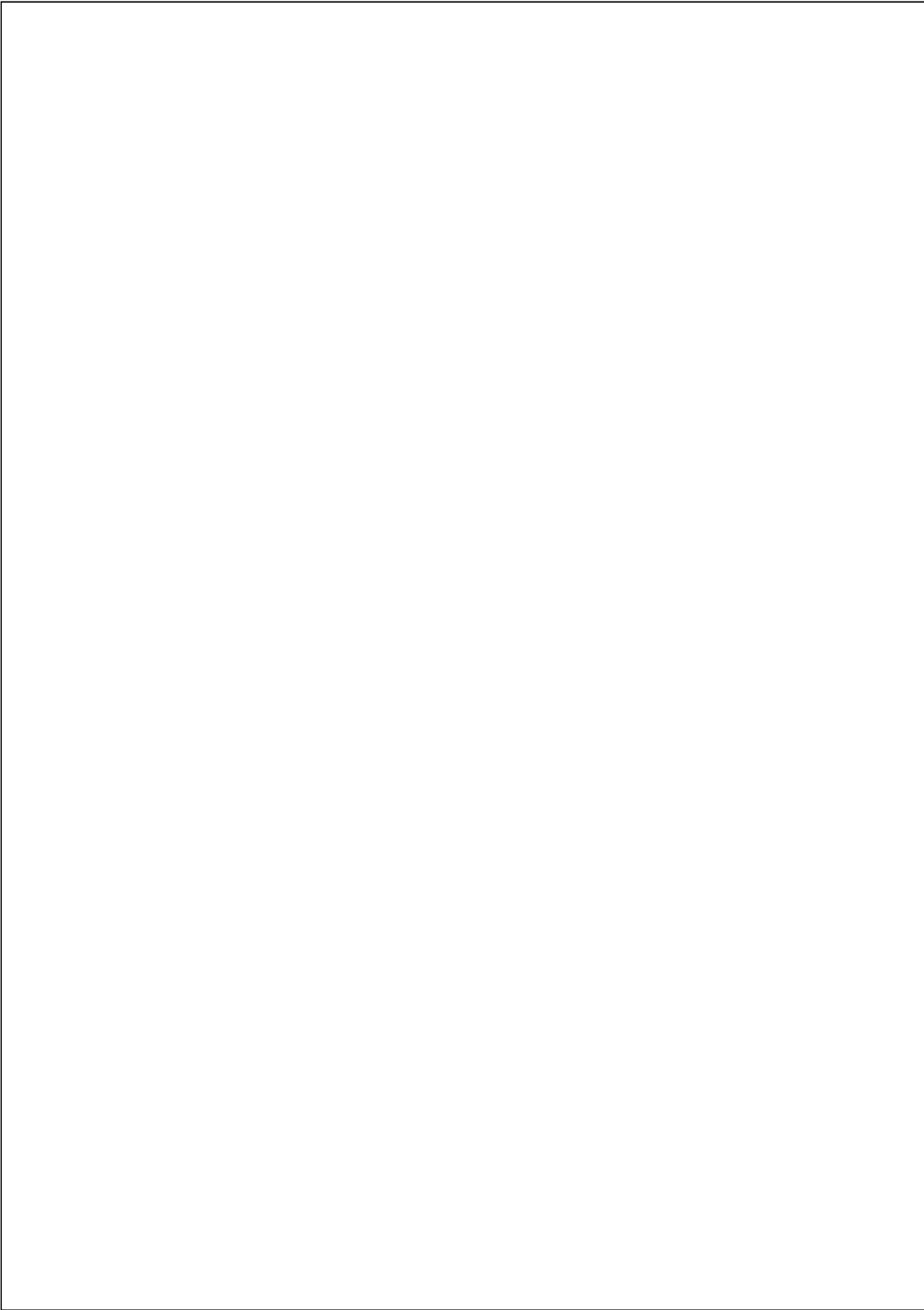
need and receive benefits, but on the other choice there are those who receive *mafsadah*, and letting the ecological crisis with the pollution of the surrounding nature is included in the *zanny al-mafsadah* category.

⁶⁷ Qahtan al-Duri, *Safwat al-Ahkam min Nayl al-Awtar wa Subul al-Salam*. Amman: Dar al-Furqan., 1999, 458

⁶⁸ Ahsin Sakho', *Fiqh al Bi'ah*, Jakarta : Conservation International Indonesia, 2006, 45.

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